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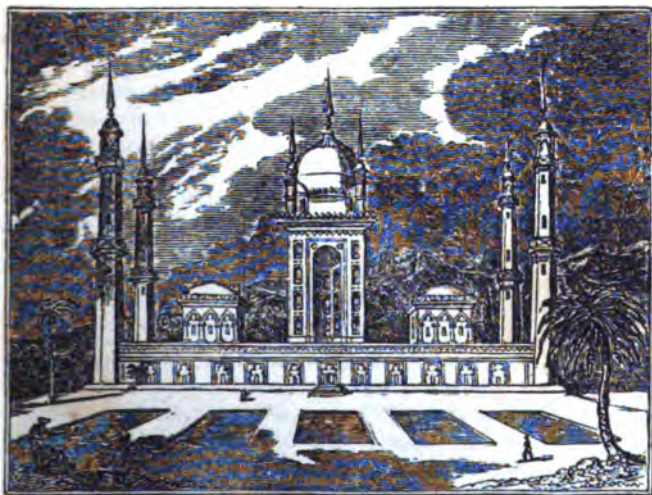


THE  
**ORIENTAL HERALD,**

AND JOURNAL OF  
**GENERAL LITERATURE.**

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**VOL. XIV.**  
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# THE ORIENTAL HERALD.

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## ECCENTRICITIES OF AUTHORS.

IN the Arabian Nights, those accurate and veracious chronicles, it is related of certain Eastern sages, that they shut themselves up for a whole year in libraries, enclosed by magic within the bowels of some unfrequented mountain, or enchanted palace, and at the termination of that period returned to the world enriched with the choicest wisdom, and a degree of knowledge incredible. Among the Western nations, this fashion of study has been but seldom pursued; the interior of our mountains yielding but few libraries, and those in our palaces not being meant for use. We are much slower, too, in growing learned and wise than those Eastern philosophers; but whether this be owing to the dearth of subterranean libraries in these regions, or to our duller geniuses, we cannot exactly determine. Demosthenes unquestionably inclined towards the Oriental mode. He built himself a vaulted apartment, and studied under ground. There, it seems, he enjoyed perpetually that solitude and silence, which, in ordinary cases, men taste only at midnight, when sleep has put his staying hand upon the wheel of life, and arrested and covered with oblivion the thousand vulgar machines of thought, whose rattle disturbs us by day.

There is an indication of weakness, however, in this passion for absolute seclusion from mankind, and every thing that could remind us of them, which, as in the case of Demosthenes, seems intimately allied to cowardice, which is nothing more than a too great susceptibility of disturbing impressions. This great man felt that the hum of business and the stir of life, floating around him like the restless chafing waves of some great ocean, disarranged his ideas, or altogether destroyed his capacity of winnowing and comparing them. It was by indescribable exertion that he conquered his antipathy to great multitudes, and his reluctance to draw out and array the riches of his mind before them. Time and practice, however, at length reconciled him to the murmurs and the acclamations of a popular

*Oriental Herald*, Vol. 14.

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assembly ; but when he came to the task of exhibiting his wisdom amid the fearful turmoil and thunder of a field of battle, the original frailty of his constitution prevailed ; terrible impressions rushed in and confused his ideas ; his presence of mind forsook him ; he felt, but could no longer think ;—he fled.

Julius Cæsar, on the other hand, accustomed from his earliest youth to the war of faction in the Forum of Rome, and from thence passing to the campaigns of Helvetia and Gaul, found his mind sufficiently collected, even in the midst of military operations, to be amused with the study of astronomy.

It might, perhaps, be no less instructive than entertaining to throw together, in as small a compass as possible, an account of the various modes in which great authors have chosen to woo the muses. In most instances, it might likewise be useful to compare their passion for study with the fruits it produced, in personal greatness, in worldly felicity, or in fame and glory. *One thing* could not fail to be acquired by this survey—the conviction that we should by no means imagine, in men who choose to converse much with their own thoughts in solitude and retirement, the existence of humility endeavouring to escape from notice, or of pride scorning the acclamations of the multitude. These anchorets of learning only separate themselves from the throng that they may become the more visible. The echo of applause follows them, and seems more sweet amid surrounding silence. Envious men quit the town and become hermits, that they may escape hearing the praises of others ; but, to hide the hatefulness of their motive, pretend among their friends and in their writings that they are actuated by nothing but a pure love of nature, which they could not, forsooth, indulge so well in the bosom of society. Mankind, in their theory, form no part of this *nature*, this sacred term, which they reserve exclusively for live timber and unhewn stones. They prefer the face of a lake to the faces of lovely women, sparkling like stars amid the motley groups of this mighty city, and shedding gladness and delight around them. There is vast absurdity and weakness even in philosophers. They almost bow down in adoration before the sun and moon, a world of fire, and a mirror, both masses of brute matter at best, and think them more glorious and possessing more of *nature* than the eye of wisdom or beauty. But, for our part, though fully impressed with the splendour of the material world, we verily see something more beautiful in the eyes of men and women than in these ‘eyes of heaven,’ which, however bright, are not instinct with thought and love, like those of mortals.

With regard to the influence of woods and fields on the thinking faculty, the opinions of great men vary. Quintillian decides, that beautiful prospects, stretching over lovely meadows, waving forests, meandering rivers, only distract the fancy, by striking it every moment with novel images of voluptuous delight. The closed

chamber, he says, and the pensive lamp amid the stillness of night, are most conducive to continuity and profundity of meditation. There we sit abstracted, as it were, from the material world. Our sight falls only on the signs of thought, imprinted on the fugitive leaf by our own pen, or by the pen of the dead. We dwell on this most wonderful of all mysteries, that these arbitrary marks and symbols, traced by beings now locked for ever and screened from inquisition within the impenetrable tomb, should play with our smiles and tears, and rouse, or disturb, or inflame, or melt, or tranquillize, or subdue our passions, with a power no less vehement than the interpreting voice of living and rival beings. There, for a moment, we forget matter and vulgar existence, and converse with departed spirits in a language which speaks only to the eye. There, thought strips itself of mortality, and is communicated with a voice, from mind to mind. There, time seems to stand still, bound in chains by human wisdom, and beholding things over which his sovereignty hath no power—the imperishable revelations of philosophy! Ideas, fleeting and transient as they seem, are the only immortal things on this earth. Not only towers and pyramids and temples and moles and aqueducts and the pomp of theatres, the material symbols of human energy, are perishable, and crumble under the foot of time, but language also and the signs of thought. The arrow-headed characters of Persepolis, which once spoke to the bearded Chaldean, are now dumb: but the ideas that lurked under their signification have not therefore been annihilated. They have only ceased to be represented by those signs, and migrated into new combinations with other forms; or, in other words, they have only changed their dress. Indeed, if we narrowly observe, we shall find that human thought, like men themselves, has constantly assumed, with every advance of civilization, a new or more ample garniture; from the scanty Hebrew, which scarcely covered its nakedness, to the rich and voluminous Greek and English, that enwrap it in glorious folds, hardly less beautiful than its own nature.

But Rousseau, not inferior in genius to Quinctilian, or, perhaps, to any Roman excepting Tacitus or Virgil, Rousseau loved to meditate in the fields. It was in the woods of Montmorency, while his heart bled, like the stricken deer, with the wounds of hopeless love, that he contrived and built up that edifice of torturing eloquence, the *Nouvelle Heloise*. Yes, it was in those solitudes he invented that wonderful instrument, which, to the day of doom, will force tears from the eyes of man, and wring his heart. Rousseau loved to look upon the human face, but he preferred dwelling upon the reflection of it which he discovered in his own fancy. For this reason, he wandered away into the woods, while his heart was full of sympathy for mankind; and there, amid the rustling leaves, whispering winds, broken fragments of sunshine, and the '*prater labentia flumina*,' gave vent in burning words to the passions that devoured



his soul. Who has not envied him the luxury he enjoyed, in his boat, on the lake of Biemme, letting it float where it pleased, while he lay in it on his back contemplating the cloud-studded sky!

Cicero greatly resembled the philosopher of Geneva in his admiration of a rural study. The delicious groves of his Almathea, on the cool banks of the Liris and Fibrenus, often invited him out with his book, to taste at once the fire and beauty of a Greek oration, and the soft breeze that fluttered over the learned page. Lælius and Scipio loved to philosophize familiarly on the sea-shore at Cajeta, amusing themselves occasionally with picking up pebbles and marine shells.

But many of the ancients had a more gloomy taste. Eutipides composed his tragedies in a rude cavern on the island of Salamis, whence he could overlook the moonlit sea, and hear its dashing waters borne and broke against the rocks below by Boreas or Notus. Sophocles meditated his works among the reeds of the Illyssus by night, and while the nightingale was pouring forth her plaintive note. Democritus studied in a tomb. We know, not, however, whether he chose, like Byron, or a hyæna, to disturb the bodies deposited there, and to wrench off the skull from a skeleton to heighten the solemnity of his meditations. Aristotle was a great night-reader, and grudged every moment which he was compelled to give up to sleep. Among the Romans, the practice of the Greek literati, of always carrying about with them a tablet and stylus to put down, wherever they were, every good thought as it occurred, was not considered sufficient;—they had the walls of their sleeping apartments covered with wax, and kept a burning lamp and a stylus by their bed-sides, that they might immediately inscribe on these capacious memorandum-books the fugitive offspring of their brains.

The younger Pliny regarded the bed as a very delightful place for hatching immortal ideas. So did Swift; for he used to lie there all the morning inventing wit for the remainder of the day, and for eternity. But the Roman differed from the greater modern in one thing—he loved the hour of darkness and silence, which, according to him, nourished and sharpened the intellectual faculties. *Reading in bed*, however, is rather a luxury than any thing else; but it is a luxury very fashionable among literary men. We wonder what books these epicures make acquainted with their pillows. Certainly not Du Val's Aristoteles, nor Bayle, nor Capperronier's Quintillian, leviathan folios, unmanageable in such Sybaritish positions.

The most extraordinary fancy that ever entered into the head of any literary man, is that which, according to Montaigne, regulated the studies of one of his countrymen. This gentleman, it seems, had been so accustomed by the sound of the cathedral bells of Pistoia, to study in the midst of noise, that when he returned to France, and tried to resume his meditations in his own library, he found that his

ideas, like waggon-horses, would not move without bells, or some *succedaneum* for them. His remedy was curious. Having a great number of servants, and knowing that when under no restraint their noise will at any time match the peal of a cathedral, he contrived to station them in the room next his closet, and letting them understand that their tongues were free, found his lucubrations wonderfully assisted by their clamorous merriment.

The author of the 'Discourse on the Life of M. Ancillon,' makes several judicious comments on his mode of study. He read, it seems, books of all kinds, romances even, both old and new; but it was his opinion that he derived benefit from them all; and he often used to repeat the words attributed to Virgil—'*Aurum ex stercore Ennii colligo.*' In certain careless authors, things of a singular nature, he thought, were sometimes to be met with, which could be found no where else. But although he read all kinds of books, he bestowed application on such only as were important; running through the lighter sort, as the Latin proverb has it,—'*sicut canis ad Nilum, bibens et fugiens,*'—but perusing the others frequently, and with exactitude and care. He gathered from the first reading the general idea of a book, but looked to the second for the discovery of its beauties. His exact manner of observing what he read, rendered indexes, which many great men have called 'the souls of books,' of little or no use to him; for he had besides a very faithful memory, and especially that local memory so valuable to literary men. He was not always in the habit of reading books from beginning to end; but sometimes chose to search to the bottom the subjects of which they treated; in which case he had to consult a number of authors. '*Il voyoit souvent la même chose,*' says Bayle, from whom we borrow this account of Ancillon, '*dans differens ouvrages; mais cela ne le degoutoit pas: au contraire, il disoit que c'étoit comme autant de nouvelles conches de couleurs qui formoient l'idée qu'il avoit conçue, qui la mettoient dans une entière perfection.*' He had a large table in the middle of his study, which was usually covered with open books. The celebrated Fra-Paolo studied in the same manner; never discontinuing his researches until he had seen whatever related to the subject of his inquiries; that is, until he had made the comparison of authorities, of places, of times, of opinions; and this he did to free himself from doubt, and from all necessity of thinking again on the same subject.

Very extraordinary stories are related of the passion of several individuals for study; but there enters, perhaps, a little of the marvellous into these accounts, as a kind of seasoning to make them more palatable. We have sometimes suspected that, although Aristotle might on particular occasions go to sleep with a brazen basin by his bed-side, and an iron ball in his hand, which he kept stretched out over it, that the ball might drop into the basin, and wake him, in case of deep sleep, yet upon the whole he slept without this apparatus. What historians relate of Peter Castellan, Grand Almoner of

France, seems likewise to require to be understood with some abatement; for they say he scarcely passed *three hours* out of the twenty-four in sleep, which he snatched stretched out upon the bare ground, with no other pillow than his robe, which he wrapped round his head; and that he was no sooner awake than he rushed to his books with the appetite of a wolf. He was reader to king Francis I., and when he received this appointment, he resumed his amazing application, which he appears to have remitted for some time. Time, in his eyes, was so precious, that he would not spare himself sufficient to eat his dinner, being satisfied with taking a morsel of bread in the morning, and eating supper at five o'clock. Fashionable people keep Castellan's hours now, only that they call supper, dinner, and eat it an hour or two later. Galland, who wrote this book-worm's life, had reason and wit on his side, when he said, he was chained to his books, night and day, as Prometheus was to Caucasus. Castellan used to be present at the king's dinners and suppers, when Francis delighted in hearing him display his wit and learning, which helped his majesty, we suppose, to digest his meals. Thus princes honour literature!

But it must strike every person, that so voracious an appetite as Castellan possessed for other people's ideas, was an indication that he had none of his own. How could so multifarious a reader find time to think or to reason? And what is there in books so vehement to attract a man from sleep, and the duties of life, and the interchange of affection, and the intense delight accompanying original and independent thinking? Books must ever form the object of a *scholar's* preference,—but to an *author* they are always secondary. His own ideas occupy the first.

These speculations on the whims and peculiarities of authors might be greatly extended; but enough, perhaps, has already been advanced to satisfy the reader's curiosity; we may hereafter pursue the theme at greater length.

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EPITAPH ON THE LATE STEPHEN BABINGTON, ESQ.,  
OF THE BOMBAY CIVIL SERVICE. \*

Of all who dwell within the tomb, how few  
Of whom the tablet tells a tale that's true!  
'Tis e'er a flattering sketch which sorrow draws,  
Marking perfections, and concealing flaws,  
But, in this narrow mansion, rests a youth,  
Whom much to praise were most to follow truth;  
And yet so meek, of modesty so chaste,  
The lightest praise would violate his tale;  
He dwelt with us to indicate a worth  
Fit but for heaven—too pure for sordid earth.

B. G. B.

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\* This is the excellent and lamented individual of whom there is a beautiful marble statue, by Chantrey, in the present Exhibition.—Ed.

## IMPORTANT LEGAL JUDGMENTS IN INDIA.

EVERY succeeding year furnishes new and additional proof of the necessity of increasing vigilance being exercised over the proceedings of Government in India. Notwithstanding all the attempts that have been made, and are still making, to keep shrouded in impenetrable darkness the transactions which are every day passing in the interior of that distant country; notwithstanding that the terrors of transportation without trial are held over the heads of those who dare to give utterance to their thoughts on any subject, and in any manner that may be displeasing to the authorities in India; still, every now and then, light is let in upon some small fragment of the general picture, by the colouring of which we may form an accurate judgment as to the character of the whole.

Our readers are already aware that though such an instrument as a press is to be found at each of the presidencies or capitals of the East India Company's territories, there is no such thing existing any where in the *interior* of that vast region, over which is scattered from eighty to a hundred millions of human beings, with sometimes a single white man—or, at most, a civilian, his assistant, and a surgeon—to govern, almost at his will, a tract of country larger and more thickly peopled than any English county, often without understanding the language, still oftener without knowing any thing of the usages and manners, and almost at all times without sympathizing in the slightest degree with the wants or sufferings, of the people. They know also, that should such a miracle as a reformer of his own administration appear among the despots thus installed in sovereign and uncontrolled power, and should he venture to send his own observations on any defects needing a remedy to the press of the Indian metropolis, no editor could dare to print them, if they related at all to transactions of the local councils, or any other authorities connected with the Government of India, (for these, by the existing press-regulations of Bengal, are strictly prohibited, (without incurring the risk of ruin for such an act. The whole of the interior of India is also without any representative assembly, and without any court of justice, except those filled by the East India Company's own servants, the law being framed by the Company's own officers, without any check or restraint whatever, and administered by a judge who rarely understands the language in which the pleadings are made or the evidence given; who seldom even attends to the interpreters when these are used; and who never, it may be safely said, gives judgment from his own knowledge of the facts or the law of the case. There is no jury to give evidence as to the one, and he depends for the other, almost entirely, on the dicta of two Native oracles, one a



Mohammedan, and the other a Hindoo, who unfold the laws of their respective faiths on the subject under trial, and give their oracular interpretations almost invariably in favour of the party who has been able to purchase their decision by the largest bribe. With such a system, and without either the check of an independent population, a bench, a bar, or a press, it would be a wonder indeed if justice were ever duly administered. As might be expected, however, it is not: and we have the authority of Mr. Robert Cutlar Fergusson, formerly the leading advocate at the Calcutta bar, for saying, that throughout the interior of India generally, (and he is good evidence on this subject, for he resided in full practice in that country for twenty years at least,) 'justice was put up to auction, and knocked down to the highest bidder.' These were the expressions used by him in a case in which he was counsel, where bribery, to the extent of nearly 100,000*l.*, was proved to have been practised on the Native law-officers, moolahs and pundits, to purchase an unjust decision in a case where the whole territory of a certain district was in dispute. We are glad to see that this same Mr. Fergusson, who is now a member of parliament, and a candidate for a seat as Director of the East India Company, has at length brought before the House of Commons a notice of his intention to use his utmost efforts to effect a reform where it is so much needed.

Under these disadvantageous circumstances, and with an almost total absence of all checks on misrule and oppression in India—the supreme courts of law established in that country, though confined to the capitals or presidency towns (but three in number) offer the only hope for the philanthropist, the only refuge for the innocent and the injured. It was for the avowed purpose of protecting these against the arbitrary power of the Company's government, that such courts were established; and had the judges appointed to preside over them been men of virtue and of courage, they might have checked a portion at least of the evil which the tyranny of Eastern rulers has inflicted upon its victims. But, with a very few and occasional exceptions, the judges have been men, who, not being able to withstand the allurements of the Governor's patronage, countenance, society, and favour, have fallen into the degraded position of mere courtiers and followers of their superior's will. As it respects wrongs done to individuals of British birth, such courts are indeed powerless; for, if the Government wishes to oppress a British-born individual, though it cannot prosecute him without legal cause, or imprison him without the benefit of the habeas corpus, yet it can transport him for life from the country and all his possessions in it, without inquiry, and without reason assigned; while the Court, with all the bench and bar at its back, can afford him no protection whatever! This is the state of men who have the misfortune to be born in England, and who may at any time be found residing in

India; while for the *Natives* of that country, though they cannot be transported or otherwise punished without trial, yet, to defend them in any cause which may occur between an individual of Indian birth and the Government, and, above all, to give a judgment in favour of a native Indian against an English functionary of any kind, is a duty, the performance of which would be so sure to incur the hatred of the Government, and the outpouring of all the vials of their wrath upon any advocate or judge who should dare to attempt it, that it is rarely or ever done. When done, it almost invariably leads to the open persecution of the honest interpreter of the laws, by every means within the power of the Government to invent or execute; and sometimes to the forcible arrest and actual suspension of functions so unsuited to the despotic violence which the tyrants of the East, whether of Asiatic or European birth, have from the earliest days delighted to indulge.

Now and then, however, undeterred by such discouraging examples, a bold and honest man springs up, to cheer the gloom of such a disheartening state of things; who, till he also is chased from his seat and borne down by the persecutions of angry and defeated evil-doers, dares to dispense justice with an even hand, and to fulfil, with integrity and courage, the duties he was sent out by his country to perform. We lament, however, to say it, such patriotism and self-devotion, instead of being rewarded as they should be by his country, are likely to obtain him the censure of those who ought to be his firmest supporters; and to subject him to the reproaches and desertions of men who would either be silent, or even join in the clamour against him, though at the same time they would stand up in the House of Commons to defend such men as Mr. John Adam, Sir Francis Macnaghten, Lord Amherst, or Lord Charles Somerset, and yet call themselves Englishmen, and Friends of Liberty and good government!

This is the invariable, and it would seem the inevitable, fate that awaits those who make any effort whatever for the improvement of the laws, or for purifying their administration, but especially in the colonies and distant dependencies of the empire. Still, however, such efforts have their reward, in the tranquil happiness of an approving conscience, in the esteem of all good men to whom they are known, and the admiration of the just among posterity. This, we are persuaded, is and will be the fate of SIR EDWARD WEST, the excellent Chief Justice at Bombay, with whom we are glad to see so closely associated in character and conduct, his honourable colleague, Sir Charles Chambers, both proud ornaments to the Indian bench. We have before given to our readers the full reports of their judgments in the case of Cursetjee Monackjee against the East India Company, and in the case of the late attempt to register regulations for imposing new restraints on the press at Bombay. We have now the pleasure to present them with a still more elaborate,

and equally important judgment, in the case of Amerchund Burdeo-chund against the East India Company, wherein a decision is given against the latter (or its functionaries) to the amount of about 175,000*l.* sterling, of which the said functionaries had unlawfully possessed themselves, under pretences which will be shown in the details of the case. These are given at such length, and with such clearness in the judgments which follow, that further preface is almost unnecessary. We shall merely observe, therefore, that the Mr. Elphinstone named therein has for thirty years past been affecting a great regard for public liberty, and set himself up in India, like his worthy cousin, Mr. Adam, for a Whig, or, on some occasions, even for an Ultra Whig or Liberal!—that the Captain Robertson, mentioned in the same judgment, and who united in his own person the chief civil, military, judicial, and magisterial authority in the capital of the Mahratta empire, Poonah, a city containing 120,000 inhabitants, with a vast tract of surrounding country, was at the time of this extraordinary power being first intrusted to his hands, scarcely twenty years of age! He is now, it is said, not more than thirty; but while time has increased the number of his years, it has decreased the number of the population in the Mahratta states, which, by the help of martial law, (authorized by Mr. Elphinstone the Liberal, to be executed by Captain Robertson at Poonah, a state in profound peace,) and the other blessings of the Company's government, is now dwindled down to about one half its former amount. We may add, that though the English chaplain stationed at Poonah reported to the Government at Bombay, that seven lacs of rupees, or 70,000*l.* of the property in dispute really belonged to the individual by whose executor it was claimed, they paid no attention whatever to any of the numerous petitions and memorials which this executor presented with his claims; and that, though the conduct of Captain Robertson was also brought to their notice again and again, by memorial and petition, they neither gave redress to the injured individual, nor censured the instrument of the injury, with whom they were so far from being displeased, that up to the latest advices from India in January last, he still held all the offices at Poonah, (excepting only that of judge, which, *since* the commencement of the action against him, he had transferred to Mr. Anderson,) and was in the receipt of three thousand rupees a month from pay and allowances, besides being considered the richest individual on the western side of India. We had really begun to hope that much of this was passing away, and belonged rather to the days of Clive and Hastings than our own times. But the only difference seems to be, that in those days more was disclosed by the searching powers of parliament and the freedom of the Indian press; while now, though the same iniquities prevail, less is known of them, by the apathy of the legislature and the fettered state of the Indian press. No wonder, however, when such things are passing, that the Indian Governments prohibit all Englishmen, not in their immediate service, from going

into the interior of the 'country: no wonder that they oppose the powers, and endeavour to cast odium on the proceedings, of the supreme courts: no wonder that they transport for life editors or other writers who dare to speak the truth; and that they proclaim India to be not yet fit for trial by jury and a free press. In their estimation she never will be. But let our readers peruse attentively (as they really deserve) the following judgments, of which we have obtained authentic copies; and they will then decide for themselves whether a really free press would not be calculated to do infinite good, by checking, through the fear of exposure, the inclinations of men to perpetrate such spoliations as these.

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SUPREME COURT, BOMBAY, NOV. 19, 1826.

*Amerchund, Executor of Naroba Outia, v. The United East India Company, the Honourable Mounstuart Elphinstone, and Captain Henry Dundas Robertson.*

JUDGMENT OF THE CHIEF JUSTICE SIR EDWARD WEST.

This is an action of trover for a very large quantity of gold mohurs and gold venetians.

The plaintiff sues as executor of one Naroba Outia, a Brahmin, who, as it clearly appears from the evidence on both sides, though the fact was at first disputed by the defendants, was a person of high rank and consequence in the Mahratta empire. The defendants are the United East India Company, the Honourable Mountstuart Elphinstone, now governor of Bombay, and Captain Henry Dundas Robertson, of the Company's military service.

It appears in evidence, that in November 1817, soon after the commencement of the late Mahratta war, Poonah, the capital of the Peishwa's dominions, was taken possession of by the British forces under General Smith; and in December of the same year, Mr. Elphinstone was appointed sole commissioner of the territory 'conquered from the Peishwa,' including of course Poonah. In the February following, Mr. Elphinstone appointed Captain Robertson, then a lieutenant in the Company's army, provisional collector and magistrate of the city of Poonah and of the adjacent country, and also to the exclusive command of the guards in the city; and it appears that Lieutenant Robertson had, by the appointment of Mr. Elphinstone, in addition to these functions, the political department, and the judicial, both civil and criminal; all which powers he retained till lately, with the exception of the command of the guards, which in September of the same year (1818) was given to Major Fearon, who, as he states, was placed under the civil magistrate, Lieutenant Robertson.

Mr. Elphinstone, in his letter to Lieutenant Robertson appointing him to these offices, transmitted a copy of a proclamation

addressed by him a few days before 'to the inhabitants of the Peishwa's former dominions,' and requested him 'to pay scrupulous attention to all the promises contained in it.' One of these promises is the following sentence: 'The rest of the country (except what was to be assigned to the Raja of Sattara) will be held by the Honourable Company. The revenue will be collected for the Government, *but all property, real or personal, will be secured.*' And another of the promises is, 'that officers shall be forthwith appointed to administer justice.'

On the 17th day of July of the same year (1818), Lieutenant Robertson, being in Poonah, ordered his peons to bring Naroba to him at the Juna-wara, an old house which formerly belonged to the Peishwa. They found Naroba in his house sitting with his wife and children, and brought him away to the Juna-wara, where Lieutenant Robertson took Naroba by himself into an inner room and shut the door; after remaining there for about an hour, Lieutenant Robertson called out 'Sepoys, come and take Naroba to prison;' upon which the peons entered the room, and Lieutenant Robertson repeating the order, they took and delivered him to the military guard at the door of the Juna-wara, and he was placed in the common jail. Lieutenant Robertson then ordered his peons to search Naroba's house, which they did, and on breaking open the lock of an inner room, found twenty-eight bags of gold mohurs and venetians. Lieutenant Robertson being informed of this, sent a military guard, under a Mr. Houston, for the money, which they brought and delivered to him; after this, Naroba's gomasta, or head clerk, was also brought to Lieutenant Robertson, who took him into an inner room, and after talking with him there a short time, dispatched him also to the jail, and placed him there, but in a different room from Naroba. Lieutenant Robertson also ordered his peons to bring Naroba's papers from his house, which they did.

A short time after this, Major Fearon, the prize-agent to General Smith's division of the army, hearing by report that money had been taken from Naroba's house, called upon Lieutenant Robertson about it, who said, 'he had his doubts whether it was prize or not prize,' and refused to deliver it up; and it appears from the evidence of Mr. Lumsden, that Lieutenant Robertson, either at this conversation or at one shortly afterwards, said he expected twenty thousand pounds upon all the money of the Peishwa which he had collected. A reference was then made to Mr. Elphinstone, who directed 'that the money should remain with Lieutenant Robertson, on account of Government, until the commands of the Governor-General should be received.' The proceeds of this money, which was sold by Lieutenant Robertson for silver rupees, were afterwards paid over by him to the civil and military paymasters of the Company.

I will now revert to the evidence respecting the treatment of Naroba and his gomasta, which, though at first sight it appeared

irrelevant in an action of trover for property, became, as the object of their imprisonment was developed by the evidence, a most important feature in the case.

In the course of the same evening that Naroba was taken to jail, one of Lieutenant Robertson's peons went there and saw Naroba, who refused to take food, which being communicated to Lieutenant Robertson, he observed, 'there is a Brahmin cook for him; if he will not take his dinner I cannot help it.'

The first witness, whose evidence has been in every particular confirmed by the witnesses for the defendants, states that five or six days after the imprisonment of Naroba, Captain Robertson desired him to order the jemmadar to bring Naroba up stairs to him in the Juna-wara, and that accordingly Naroba was brought up in the charge of a sentry; that Naroba and Captain Robertson went by themselves into an inner room, whilst the sentry stood outside near the door of it; that he heard Naroba say, 'he did not owe any thing to any one,' and Captain Robertson say, 'it is the Peishwa's money;' to which Naroba replied, 'it is not the Peishwa's money; it is mine;' that Naroba was speaking a little louder than usual, and Captain Robertson spoke angrily; they remained in the room about two Native hours, (that is, about one English hour,) and then the sentry took Naroba away; Captain Robertson saying to the sentry, 'take him to prison.' That he sometimes saw Captain Robertson and Naroba together, and sometimes Captain Robertson and the gomasta. Every other day, or every third or fourth day, the gomasta was called by Captain Robertson, and they had some conversation, and this was continued for twenty days or a month. Naroba was also brought up by a sentry, and was kept one or two Native hours, and then sent back again. The witness some days heard Captain Robertson say to the gomasta, 'this belongs to the Peishwa, why do you say it does not belong to him?' The gomasta replied, 'this belongs to Naroba; I do not know whether it belongs to the Peishwa or not.' One day Captain Robertson was angry with the gomasta, and said, 'put irons on the gomasta's feet:' then the witness went and brought a blacksmith, who put irons on his feet; they were put on below stairs by Captain Robertson's order. The gomasta was kept in irons about two months and a half, or three months. Whilst the irons were on his feet, he used to come to Captain Robertson, and sometimes Naroba used to come, at different times. The gomasta used to come to Captain Robertson with the irons on his feet and a sentry with him. Naroba was never present at any of the conversations which Captain Robertson had with the gomasta. The gomasta was never present at any of the conversations between Captain Robertson and Naroba. He heard Captain Robertson saying to Naroba, 'if you will complete the cash account of the venetians, I will release you.' A few days after that, Naroba was released; he was imprisoned four months, or a week less than four months; the

next day after he was released, five bags of venetians were sent by Naroba to Captain Robertson.

The gomasta himself is called, and says, he was sent to prison; that afterwards Captain Robertson asked him whose money it was that was found at the Juna-wara? To which he replied, that it belonged to Naroba. Then Captain Robertson said, 'Naroba says it is the sircar's (state's) money:' he still denied it; and Captain Robertson then said, 'tell the truth, otherwise I shall put you in irons and send you to a fort.' Irons were then put on his legs; and 'my legs,' says he, 'still give me pain;' a blacksmith put them on; the irons were put on immediately after the conversation with Captain Robertson; he heard him say, 'put irons on.' The irons were on him for two months; his imprisonment was a close one; his friends and relations were not allowed to see him.

Upon the cross-examination of this witness, a paper is put into his hands by the defendants' counsel, which, he says, is in his handwriting; that he wrote it in prison in the presence of Captain Robertson and two other persons, one of whom was in Captain Robertson's service; that he wrote it on the dictation of one of those persons because he was in prison.

The Court, of course, rejected this paper, which could be evidence merely to contradict the witness, upon the ground of its having been obtained by duress; but the very tender of such evidence shows the object of the imprisonment.

To return to Naroba. It appears that some time during his imprisonment he was removed from the common jail and imprisoned up stairs in the Juna-wara.

A witness for the defendants, of the name of Mallar Jairam, says, that at the time of Naroba's confinement, he was and still is jailor under Captain Robertson; that Naroba was in his custody; that at first he was confined below stairs, and afterwards he was kept in a bungalow up stairs; that he was one day below stairs. According, however, to the evidence of the first witness, whenever Naroba was brought to Captain Robertson in the Juna-wara, which it appears he frequently was during the first part of his imprisonment, he was brought from below stairs, that is, from the common jail; and the third witness, Gopall Rowjee Shevack, also says that Naroba was imprisoned down stairs a fortnight, or a month; he is sure it was more than a fortnight.

Neither of these witnesses is cross-examined as to this point, and they are confirmed by Mr. Houston, a person in the employ of Captain Robertson, and a witness for the defendants, who says, that he was in the habit of going up stairs where Naroba was confined, and that he used to see him there, but that it was several days after he brought the money away that he saw Naroba there; it might have been a fortnight after.

In addition to this contradiction of the jailor, Mullar Jairam, he is contradicted in many other particulars, even by the defendants' own witnesses, and his evidence is so inconsistent and contradictory of itself, that I think no reliance can be placed upon his testimony.

Naroba had been in jail a little more than three months, when he was visited there by one Bhasker Ram Goela, who is called as a witness by the defendants to prove a conversation which he said he had with Naroba upon the subject of this money. The character of this witness, and the object of his visit to Naroba, though he says he was sent for by Naroba, may be collected from the following passage of his evidence: 'I received some money, twelve thousand rupees, from Captain Robertson, for assisting in the recovery of money which was alleged to be due from some people to the Peishwa; he paid me in general, not for particular business, and he paid me by Mr. Elphinstone's order.' There can be no doubt that this man was employed to obtain admissions from Naroba; and the admissions so obtained, or pretended to be obtained, have actually been tendered on behalf of the defendants on this trial. The Court of course rejected such evidence, obtained by duress; for there is not a shadow of pretence for saying that the imprisonment was legal.

About a week after this, Captain Robertson promises Naroba to release him if he will make up the account of the venetians, and Naroba agrees to bring him five bags of venetians. In a few days after this he is released on his brother-in-law's security, which is as follows:

'I Purusham Khunderas Bahatekur, inhabitant of Poonah, do write and give this to the Honourable Company's Government, purporting, to wit,—That, as my dear Narro Govind Autey was kept in confinement by the Government, I have become security for his personal appearance, and have got his liberty to be effected. I therefore bind myself to make him appear personally whensoever I may be required so to do. Should I not make him appear personally, then I myself shall be answerable for whatever there may be against him.' Dated the 7th Nov. 1818.

This security was, of course, taken for the purpose of enforcing Naroba's promise to bring the five bags of venetians, a promise obtained from him while in jail; and the next day Naroba accordingly sends to Captain Robertson the five bags of venetians.

About five days after Naroba's release, namely, on the 12th of the same month, the following bond is taken from Naroba:

'I Narro Govind Autey, do write and give this engagement (literally *bond, moochelha*) to the Honourable Company's Government, declaring that whatever *airuz*, (i. e. *property or money*) of state there was with me, such I have given over into the possession of your honours (*sahib*); except this, I had not any more *airuz*, ornaments, jewels, cloths, &c. belonging to the state. Should it be proved that there is any thing of these with me, then I shall be considered as a defaulter to your honours (*sahib*). Moreover, I do not know what debt (*tussulmat*) and deposit (*thaw*) there is with the people belonging to the state (*sircar*.) Should it be proved



that I do know any thing of it, then I submit myself (to be answerable) to whatever your honours (*sahib*) may be pleased to order (to be done to) me.'

This bond is put in evidence by the defendants themselves, in order to prove Naroba's admission that the money was the Peishwa's, but it proves only the subjection to which Naroba had been reduced by the severity of his treatment. Naroba by this bond actually submits himself 'to whatever their honours may please to order to be done to him.'

In about a year after Naroba's release, interrogatories were put to him by Mr. Chaplin, who had succeeded Mr. Elphinstone as commissioner of the Deccan; and these interrogatories, which appear to have been continued day after day for more than a month, together with Naroba's answers to them, are produced in evidence by the defendants. Under what authority, or by whose order, or at whose instance these interrogatories were put, no where appears. It was said, indeed, by the counsel for the defendants, that this examination was taken in consequence of the Bombay Government having referred a petition of Naroba's, respecting this money, to Mr. Chaplin, and having desired him to report upon it to the Government; but there is no evidence of this, any more than of the assertion of the counsel for the plaintiff,—that Mr. Chaplin did, in consequence of such reference, report that seven lacs of the money belonged to Naroba. It has also been said by the counsel for the defendants, that the decision of Mr. Chaplin upon this examination was the judgment of a competent Court, and that we had no power to question it. If so, why was not the judgment itself produced; or, if Mr. Chaplin were merely an arbitrator chosen by consent of both parties, why was not his award produced?

The first sheet of this examination is an account in the handwriting, as one of the defendants' witnesses states, of one of Naroba's karkoons, or clerks; but how, when, or where, by whose order, or from what documents it was framed, no where appears, and it is with reference to this account that many of Mr. Chaplin's questions are put.

In this examination, Naroba says repeatedly, that he cannot answer questions, or reconcile apparent inconsistencies, on account of his papers having been taken from him by Colonel Prother and Captain Robertson; and yet he is examined as to immense sums of money, and to most intricate accounts of many years past. It would have been most unreasonable to have required of him to give immediate answers to such questions, even if he had had all his accounts to refer to; how much more so when his accounts, as appears clearly from all the evidence, had been taken from him.

When asked to reconcile an inconsistency between two accounts, he says, 'when I was put in confinement in the wara, and used to

be brought out to be examined, when the two persons, viz. Hureshur and Dorabjee, who were standing below down stairs, advised me that the European gentlemen would be angry, and that I had better say the Surat gold mohurs belonged to the state; upon such instructions I wrote and delivered the same, consequently there appears the difference.

It is necessary to observe, that one of these two persons who gave Naroba in jail this advice, to avoid the anger of the European gentlemen, was the same who dictated to the gomasta, when in jail, the paper which was offered in evidence by the defendants, but which was of course rejected on the ground of duress.

As far as I can understand this examination, (which, however, it is very difficult, or rather, I should say, impossible entirely to do, from the state in which it is laid before the Court, particularly as many of both the questions and answers refer to accounts which are either not produced or not identified,) it does not impugn the plaintiff's claim.

But it is unnecessary to refer to it, more particularly when we consider the observations already made upon it, and the circumstances under which it was taken.

Naroba, during this examination, was under the security or bail bond; which, however illegal, might be enforced by the same power by which it had been taken; he was under his own bond, by which he 'submitted himself to whatever their honours might be pleased to order to be done to him,' and he was at Poonah, within the grasp of the same power under which he had suffered so illegally before.

It is impossible, under these circumstances, to consider Naroba as a free agent, or any admissions which he might have made as voluntary admissions.

We now come to another head of evidence on the part of the defendants, that of the money in question having been brought from Rhygur.

Regardless of truth as the Natives who appear in this Court frequently are, I certainly have never, in the course of my experience here, known witnesses who, from their demeanor and the tenor of their evidence, have been so little entitled to credit as those who were brought on the part of the defendants to prove this part of their case.

If, however, the facts, which are attempted to be proved by these witnesses, had been better established, I cannot see how their evidence would affect the case. Suppose the money were brought from Rhygur, unless it were brought thence in breach of the capitulation, or unless it were shown to be the Peishwa's money, of what importance is it that it was brought from Rhygur? By the capitulation, the besieged were 'to carry away their goods and chattels, also their

ready cash, &c.' So that the taking the money away, even after the capitulation, would be no breach of it, unless it were the Peishwa's money. But how does the fact of its being in Rhygur prove that it was the Peishwa's money? Naroba was Killedar of Rhygur, and might naturally have his own money there. Besides, there is no evidence to prove that the money supposed to have been taken from Rhygur was the same as that found in Naroba's house.

The only circumstance from which the defendants could presume it was the Peishwa's money was, that Naroba had been, nearly up to the breaking out of the war, the khasgeet or private treasurer to the Peishwa.

From this circumstance alone, a vague suspicion that Naroba had some of the Peishwa's money seems to have suggested itself to Lieutenant Robertson, and to have led him to all these extraordinary proceedings. Even at this day the defendants have not been able to adduce any evidence that the money seized was the Peishwa's, except the supposed admissions or confessions of Naroba, obtained from him after the seizure, by means the most illegal and oppressive.

Many months after Poonah had been in our undisturbed and peaceable possession, many months after Mr. Elphinstone's proclamation, in which he promises that all property, real and personal, shall be protected, and that Courts of Justice shall be immediately established, and many months after their actual establishment in Poonah and the adjacent country, when the inhabitants had as much right to the protection of the Courts of Justice as the inhabitants of Bombay,—Naroba, a person of high rank in the former empire, without even the imputation of any offence, and without the form or pretence of any legal proceeding, is taken from his house, his wife, and family, and thrown into the common jail. His gomasta shares the same fate, with the additional severity of being kept in irons. Naroba's house is entered by a military force, his treasure taken without a shadow of evidence that it was not his own, and his family reduced to a state of destitution so complete, that his wife is under the necessity of borrowing twenty rupees; they are kept in prison many months, during which Lieutenant Robertson endeavours to obtain admissions from them to justify these acts; and in this Court the defendants offer in evidence a paper, signed by Naroba's gomasta in jail, dictated to him in the presence of Captain Robertson; admissions obtained from Naroba in jail; and the bond by which Naroba submits himself 'to whatever their honours might please to order to be done to him.'

Even after his release the proceedings are equally extraordinary; his papers having been seized by Lieutenant Robertson, he is interrogated as to the most intricate accounts of immense sums, and of many years; and thus by an inversion of the most obvious rules of justice, his property is first seized and detained without even a pre-

tence of any right, and then he is required to show his own title to it, and that after he is deprived of the means of so doing by the seizure of his papers and accounts.

We will now consider the other grounds of defence relied on by the counsel for the defendants, beside that of the money being the property of the Peishwa.

One is, that Naroba was an alien enemy at the time of the seizure of the money. It is not necessary to consider whether this would, in point of law, be a good defence, (the proposition not being that Naroba was an alien enemy at the time of his death, or that the plaintiff, as the usual form of the plea is, was an alien enemy at the time of action brought,) because I am clearly of opinion that Naroba could not be deemed an alien enemy at the time of the seizure.

At that time, Poonah, where the money was seized, and where Naroba was resident, had been in our undisturbed possession eight months; and above five months before the seizure, the proclamation had been issued by Mr. Elphinstone, who therein describes himself as sole commissioner for the settlement of the territories *conquered* from the Peishwa, to the inhabitants of the Peishwa's *former dominions*. In this proclamation, Mr. Elphinstone states:

'By these acts of perfidy and violence, Bajee Row has compelled the British Government to drive him from his musnud, and to conquer his dominions. For this purpose a force is gone in pursuit of Bajee Row, which will allow him no rest; another is employed in taking his forts; a third has arrived by the way of Amednuggur; and a greater force than either is now entering by way of Candeish, under the personal command of his Excellency Sir Thomas Hislop. A force under General Munro is reducing the Carnatic, and a force from Bombay is taking the forts in the Concan, and occupying that country; so that in a short time no trace of Bajee Row will remain. The Raja of Sattara, who is now a prisoner in Bajee Row's hands, will be released and placed at the head of an independent sovereignty, to such an extent as may maintain the Raja and his family in comfort and dignity. With this view the fort of Sattara has been taken, the Raja's flag has been set up in it, and his former Ministers have been called into employment. Whatever country is assigned to the Raja will be administered by him, and he will be bound to establish a system of justice and order. The rest of the country will be held by the Honourable Company. The revenue will be collected by the Government; but all property, real or personal, will be secured. All wuttun and enam (hereditary lands,) wurshawshun, (annual stipends,) and all religious and charitable establishments will be protected, and all religious sects will be tolerated, and their customs maintained, as far as is just and reasonable. The farming system is abolished officers; shall be forthwith appointed to collect a regular and moderate revenue on the part of the British Government, and to administer justice; and to encourage the cultivators of the soil, they will be authorised to allow of remissions, in consideration of the circumstances of the times. All persons are prohibited paying revenue to Bajee Row or his adherents, or assisting them in any shape; no reduction will be made from the revenue on account

of such payments. Wuttundars and other holders of land are required to quit his standard, and return to their villages within two months from this time. The zemindars will report the names of those who remain, and all who fail to appear in that time shall forfeit their lands, and shall be pursued without remission until they are entirely crushed. All persons, whether belonging to the army or otherwise, who may attempt to lay waste the country or to plunder the roads, will be put to death wherever they are found.\*

It is impossible to doubt, therefore, that long before the taking of the money, Poonah was considered as a conquered country, and that all the peaceable inhabitants had been received into the protection of the conqueror.

It also appears from all the evidence that Courts of Justice had been established five months; Lieutenant Robertson had been appointed by Mr. Elphinstone, in the February before, magistrate and judge, with both civil and criminal jurisdiction over the city of Poonah and the adjacent country.

What, then, is the clear law upon this subject, as laid down by Lord Mansfield,\*

‘A great deal has been said, and authorities cited relative to propositions in which both sides exactly agree, or which are too clear to be denied. The stating of these will lead us to the solution of the first point.’

‘1. A country conquered by the British arms becomes a dominion of the King, in right of his crown, and therefore necessarily subject to the legislative power of the Parliament of Great Britain.’

‘2. The conquered inhabitants, once received into the conqueror’s protection, become subjects, and are universally considered to be in that light, not as enemies or aliens.

‘3. Articles of capitulation upon which the conquest is surrendered, and treaties of peace by which it is ceded, are sacred and inviolable, according to their true intent.’

To apply these propositions to the present case, Mr. Elphinstone’s proclamation must be considered as a convention between the conquerors and the inhabitants of the conquered country, and equally sacred and inviolable as articles of capitulation or treaties of peace; and it is clear that Naroba, at the time of the seizure of the money, had been taken into the protection of the conqueror, and was therefore a subject of the King, and not an alien enemy. Nor can it make any difference that some of the forts which had belonged to the Peishwa, in different parts of the country, held out long after Mr. Elphinstone’s proclamation, whether they were held out by refractory Arabs against the will of the commander, or even by his orders. The Peishwa himself had surrendered to Sir John Malcolm on the 3d of June, that is about six weeks before the seizure of the money.

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\* Campbell v. Hall, State Trials, vol. xx, p. 322.

Another ground of defence is, that the money was taken *jure belli*. The laws of war, however, cannot apply to persons who have been taken into the protection of the conqueror, or to those with whom such convention is just made as stated. That eminent Judge, Lord Stowell, says\*—

‘There is no suggestion in the claim, that any other persons are aggrieved than merchants of Genoa, who were decidedly enemies, unless it can be shown that they had been taken into the protection of this country, and that the seizure was made after the time when they had so become entitled to protection under the capitulation. Undoubtedly, if the seizure was made after that time, it would be to be considered, not as the exercise of any rights of war, but as mere lawless rapine and plunder. The question, therefore, appears to me to respect entirely the time of seizure. If it is shown to have been before the convention, it will be in exercise of the rights of war; if after, it will be liable to the description which I have given of it, of illegal plunder and violence.’

Another ground of defence is, that the money was taken *bona fide* as booty, and therefore that the seizure of it is not a question for a municipal court.

This argument is grounded upon the decision of *Le Caux v. Eden*,\* respecting sea-prize, which has been followed by other decisions, and is unquestioned law. But, in the first place, I am of opinion, considering the time and circumstances under which this money was taken, that it cannot be considered to have been taken as booty; and, in the next place, I am of opinion, that there is no analogy in this respect between booty and sea-prize. The ground of decision with respect to the prize is, that the Courts of Admiralty have jurisdiction over it. But to what jurisdiction could the plaintiff resort for redress for this injury? Certainly not to the Court of Admiralty. His redress must be in the municipal Court, in the common law Courts of Westminster, or the King’s Court here. As to booty or plunder, there have been no decisions. In *Lindo v. Rodney Douglas*, p. 313, Lord Mansfield says :

‘As to plunder or booty in a mere continental land war, without the presence or intervention of any ships or the crews, it never has been important enough to give rise to any question about it. It is often given to the soldiers on the spot, or wrongfully taken by them contrary to military discipline. If there is any dispute, it is regulated by the Commander-in-Chief. There is no instance, in history or law, ancient or modern, of any question before any legal judicature ever having existed about it, in this kingdom. To contend that such plunder was within the rules and jurisdiction of the Prize Court, might be opposed by the subject matter, the nature of the jurisdiction, the person to whom it is given, and the rules by which he is to judge. Therefore, the counsel have confined their argument to reprisals ashore by a naval force; at least, I shall consider it as so confined, without entering into any question about booty, in a mere land war; as to which I have no light to go by, and it is not now necessary to be decided. *Neque teneo, neque dicta refello.*’

\* Robinson’s Adm. Rep. 397.

† Douglas.

The last ground of defence is, that an executive government having power of making war and peace, is not amenable to any court here or at home.

With respect to this proposition, I confess I am at loss (even were it founded in law) to apply it. It would not, of course, apply to Captain Robertson, who has not produced the order of any government for his act; nor could it apply to Mr. Elphinstone, as Mr. Elphinstone had not the power of making peace or war. But the proposition was afterwards, in the course of the argument of the counsel for the defendants, advanced in a different and more general form, namely, that the acts of a government are not subject to the jurisdiction of any court; and to maintain this point, several cases are cited, such as *Burdett v. Abbott*, which has certainly nothing to do with this point, or with the case at all, but which was dwelt upon at very great length; the *Nabob of Arcot v. the East India Company*,\* which merely decides that a political treaty between two independent states (the East India Company, though mere subjects as respects the Mother Country, having acted as an independent state in that transaction) is not a subject of a bill in equity; and *Penn v. Baltimore*,† which also has no reference whatever to the point.

It is not necessary to inquire whether Mr. Elphinstone, as Commissioner, could be considered as constituting a government, because it is quite clear that the acts of a government are (except when specially exempted by statute, as in some cases they are, from the jurisdiction of this Court) subject to the jurisdiction of the municipal courts. This is established by a series of decisions of unquestioned and unquestionable authority; and it only appears extraordinary that it could ever have been made a question here. What says Lord Mansfield in *Fabrigas v. Mostyn*?‡

‘The other two grounds which are enforced to-day are, if I take them right—but I am under some difficulties, because they are such propositions that you may argue as well whether there is such a Court existing as this which I am now sitting in—the first is, that he was Governor of Minorca, and therefore for no injury whatsoever that is done by him, right or wrong, can any evidence be heard, and that no action can lie against him; the next is, that the injury was done out of the realm: I think these are the whole amount of the questions that have been laid before the Court.

‘But to make questions upon matters of settled law, where there have been a number of actions determined, which it never entered into a man’s head to dispute; to lay down in an English Court of Justice such monstrous propositions as that a Governor, acting by virtue of letters patent under the Great Seal, (and it would be ridiculous to maintain that a Company’s Governor can have more power than a King’s Governor,) can do what he pleases; that he is accountable only to God and his own

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\* 2 Ves. jun. p. 56.

† 1 Ves. jun. 444.

‡ State Trials, vol. xx. p. 228, 231, and 232.

conscience; and to maintain here that every Governor, in every place, can act absolutely; that he may spoil, plunder, affect their bodies and their liberty, and is accountable to nobody, is a doctrine not to be maintained; for if he is not accountable in this Court, he is accountable nowhere. The King in Council has no jurisdiction of the matter; they cannot hold plea in any way. Wherever complaints have been before the King in Council, it has been with a view to remove the Governor; it has been with the view to take the commission from him, which he held at the pleasure of the Crown. But suppose he holds nothing of the Crown; suppose his government is at an end, and that he is in England, they have no jurisdiction to make reparation to the party injured; they have no jurisdiction to punish, in any shape, the man that has committed the injury. How can the argument be supported, that, in an empire so extended as this, every governor, in every colony and every province belonging to the Crown of Great Britain, shall be absolutely despotic, and can no more be called in question than the King of France? And this, after there have been multitudes of actions, in all our memories, against governors, and nobody has been ingenious enough to whisper them, that they were not amenable. In a case in Salkeld, cited by Mr. Peckham, there was a motion for a trial at bar, in an action for false imprisonment against the Governor of New York; and it was desired to be a trial at bar, because the Attorney-General was to defend it on the part of the King, who had taken up the defence of the Governor. That case plainly shows that such an action existed: the Attorney-General had no idea of a governor's being above the law. Justice Powell says, in the case of Way and Yally,\* that an action of false imprisonment had been brought here against the Governor of Jamaica for an imprisonment there; and the laws of the country were given in evidence. The Governor of Jamaica, in that case, never thought that he was not amenable. He defended himself. He showed, I suppose, by the laws of the country, an Act of the Assembly which justified that imprisonment; and the Court received it, to be sure, as they ought to do. Whatever is a justification in the place where the thing is done, ought to be a justification where the case is tried. I remember (it was early in my time, I was counsel in it) an action against Governor Sabine, and he was very ably defended. Nobody thought the action did not lie against him. He was Governor of Gibraltar, and he barely confirmed the sentence of a court-martial, which tried one of the Train of Artillery by martial law. Governor Sabine affirmed the sentence. The plaintiff was a carpenter in the Train. It was proved at the trial, that the tradesmen that followed the Train were not liable to martial law; the Court were of that opinion, and, therefore, that the defendant was guilty of a trespass in having a share in that sentence, which punished him by whipping. There is another case or two, but they do not occur to me at present.

Having disposed of these different heads of defence, I think the plaintiff is entitled to a verdict against Captain Robertson; I think that he is entitled to a verdict against Mr. Elphinstone also. Mr. Lumsden, a witness for the defendants, says, that Captain Robertson did political business under Mr. Elphinstone; and it is in evidence that Naroba applied to Mr. Elphinstone, whilst Commissioner, about the money, and that he promised to make inquiry about it, and to

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\* In 6 Modern.



restore it. Mr. Elphinstone, too, in his letter to Captain Robertson, orders 'that the money should remain with Captain Robertson, on account of Government, till the Governor-General's commands are received'; thus not only adopting Captain Robertson's act in seizing it, but ordering him to keep it until the commands of the Governor-General should be known.

With respect to the East India Company, I am of opinion that there is no evidence to affect them; a body corporate may be rendered liable, it is true, to an action of trover, but the only evidence in this case is, that the proceeds of the money were paid to the servants of the Company. There is no evidence of their having adopted the act of their servants, nor is there any evidence of a demand upon and refusal by the Company.

The only remaining point, then, to be considered, is the amount of the damages.

I think that the plaintiff is entitled, in addition to the value of the twenty-eight bags taken from Naroba's house, to recover the value of the five bags delivered by Naroba to Captain Robertson the day after his release. I cannot consider that these five bags were delivered up by Naroba voluntarily, but think that they were extorted from him by the apprehension of being again thrown into prison. He was released only upon his promising to deliver up those bags, and upon his brother-in-law entering into a bond, or becoming bail for his personal appearance.

My Lord Coke says, 'that for menaces, in four instances, a man may avoid his own act: 1. for fear of loss of life; 2. of loss of member; 3. of mayhem; 4. of imprisonment; and it is impossible to doubt that Naroba delivered up these five bags from fear of being again sent to prison.

The plaintiff claims interest upon the money from the time it was tortuously taken and converted, to the day of signing final judgment. Lord Mansfield says, in *Fisher v. Prince*,\* 'in trover, for money numbered, or in a bag, the Court have ordered it to be brought in, yet the jury may give more in damages, they may allow interest, and in some cases they ought.'

It is not necessary to inquire, however, what would be the decision in this case of the Courts of Westminster, as we are not bound by the rules of practice of the English Courts.

That it is merely a rule of practice which limits the giving of interest in the English Courts, is quite clear, not only upon principle, but from the judgment of the Court of King's Bench in the case of *Badger*,† where an arbitrator had allowed interest in a case in which

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\* Burrow's Reports, vol. iii., p. 1364.

† 2 Barnewall and Alderson, p. 691.

it would not have been allowed by the Courts of law or equity. Lord Chief Justice Abbot says :

‘ The Court will not set aside the award in consequence of the allowance of interest. If an arbitrator acts contrary to a general rule of law, it is undoubtedly the duty of the Court to set aside his determination. But there is a material distinction between those rules which are founded on the immutable principles of justice from which neither the Court nor an arbitrator can be allowed to depart, and those which depend on the practice of the Court: from the latter, indeed, the Court will not depart, because it is of great importance in courts of justice to adhere to them, even though it may operate to the prejudice of some particular case. For by abiding by general rules, we avoid that uncertainty which would be productive of very great inconvenience to the suitors of the Court. But an arbitrator, to whom a particular cause is referred, is not placed in this situation; he is not, as it seems to me, bound by those rules of practice which are adopted by the Court, for those reasons which I have stated. And as this rule of not allowing interest on unliquidated accounts is a rule of practice, I think that the arbitrators in this case were not bound by it.’

Mr. Justice Bayley concurred. Mr. Justice Holroyd says :

‘ The ground for making a general rule is, that in the great majority of instances such rule is productive of advantage; and though it may be productive of inconvenience in a particular case, it is still abided by, in order to avoid that uncertainty which would otherwise occur, and which is worse. But this reason does not apply to a case before an arbitrator, whose duty it is to do justice, according to the circumstances of the particular case, and no mischief can arise from his not abiding by a general rule. I think that this is a case in which the arbitrators might allow interest.’

‘ BAST J.—The same principle which governs our present decision will be found in the case of *Prentice v. Reed*. It does not appear that the arbitrators here have violated any general rule of law, but they have only not complied with the practice of the Court. It is this very circumstance which, in many cases, makes a decision by an arbitrator preferable to that of the Court; viz. that the former is not bound by the strict rules of practice, but may do full justice according to the particular circumstances of the individual case.’

There can be no principle on which the plaintiff should not be entitled to interest as much upon liquidated as upon unliquidated damages, or why he should not be as much entitled to the profit of money as to the mesne profits of land, withheld from him.

With respect to the practice of this Court in these cases, I had occasion to inquire into it very soon after I arrived in this country. An action had been brought by one Cursetjee Monackjee against the East India Company for unliquidated damages for the breach of an agreement; it was tried before Sir Anthony Buller, who then sat as Recorder here, and he allowed interest on those damages at six per cent.; the right to interest was not questioned by the counsel for the Company, but Sir Anthony Buller, upon application, granted a new trial, on the question, among others, whether the interest had not been

calculated at too low a rate. The new trial came on before me; no question of the plaintiff's right to interest was even hinted at by the counsel for the Company; but before I decided the question, I thought it right to make inquiry into the practice of the Court, and was informed, as well by all the officers as by all the practitioners, that it had been the practice to give interest in such cases at nine per cent. compound interest.

It is clear we should not do full justice to the plaintiff unless we gave interest. The defendants, too, it appears in evidence, have used the money, and we know from documents that the Company are to pay interest at six per cent. to those entitled to the prize-money; I therefore think that the plaintiff is entitled to interest, but only at six per cent. compound interest, that being I think about the average rate for the last eight or nine years on good security.

A true Copy.

(Signed)

A. FERRIER, Prothonotary.

#### JUDGMENT OF THE HONOURABLE MR. JUSTICE CHAMBERS.

The admitted facts in the cause may in a general way be stated to be the following: In the year 1817, the Supreme Government of India having engaged in a war, very general in its extent, to suppress the Pindarries and other predatory hordes of Central India, with ulterior objects, with a view to the general tranquillity of the Company's possessions, a war was likewise entered into with the Peishwa and the other Mahratta states. In November 1817, Poonah was taken possession of by Major-General Sir Lionel Smith, with a division of that part of the grand army called the Deccan army, under the command of Sir Thomas Hislop. In December 1817, the British Government came to the determination of dethroning the Peishwa, and taking possession of his dominions. In consequence of which determination, a provisional civil government was established at Poonah, under Mr. Elphinstone, with the title of Commissioner, who appointed Captain Robertson collector, judge and magistrate of Poonah, and the districts dependent on it. It appears, however, that Captain Robertson, then a Lieutenant only, in the Company's service, had previously to this appointment been placed by Sir Lionel Smith in the command of the body of sepoys necessary to preserve the peace of the city, which command he continued to hold under Mr. Elphinstone's administration till the September or October following. To the office of collector there was also a corps of sebundies, or irregular Native soldiers attached, and the same corps of sebundies remains attached to the same office to this day. It further appears that the civil functions of his various offices were exercised by Captain Robertson from February 1818, if not earlier. On the 31st of March 1818, the Deccan army ceased to exist under

that appellation, and Sir Thomas Hislop returned to Madras; but various corps continued in military action after that time; some being engaged in pursuit of the Peishwa, and others in the reduction of his forts and districts. In May 1818, the fortress of Ryghur, held up to that time for the Peishwa by Naroba Govind Outia, capitulated to the force under Colonel Prother; and in June 1818, the Peishwa surrendered his person to Major-General Sir John Malcolm, and it must be presumed never afterwards exercised nor claimed any sovereignty over his dominions. The various divisions of the British army continued in the field till October in that year. Such are the public general facts of this case. In July 1818, if not before, Naroba Govind Outia was domiciled in Poonah; he was living in his house or wara (literally mansion) there with his wife and family, and domestics; on or about the 17th July 1818, he was imprisoned, together with one of his carkoons, called Dundoo Bulloll, by order of Captain Robertson, and on the same or the following day certain persons went to his house by Captain Robertson's order, broke open the door of a room in the upper part of his house, and took from thence the property in question in this cause. The persons concerned in the taking appear to have been Mr. Lumsden, Captain Robertson's civil assistant, Mr. Houston, then in command of the sebundies attached to the office of collector, with sebundies, peons, and some regular sepoys.

Naroba, it appears, before the war had held some office in the nature of Treasurer of the Peishwa, but the exact limits of his holding that office do not clearly appear. He had, however, been much in the confidence of the Peishwa. He had the charge of the Peishwa's wife in the fort of Ryghur, and most probably was intrusted with great part of the Peishwa's treasure. After the taking of Ryghur, he appears to have been perfectly passive. In consequence of the seizure of his person, he was detained in close confinement, though not perhaps exactly in the way which is usually called solitary confinement. At first he appears to have been confined with many other persons of various ranks, confined for different offences, for more than a fortnight; after which, he was removed to a separate place of confinement, and remained there nearly four months. Whether he might have been visited freely by his family and relations does not appear, as the principal part of them did not ask permission; but Captain Robertson and his agents visited him, and Captain Robertson, in particular, had frequent interviews with him, for the purpose of eliciting information respecting the property taken. At the end of the term of his imprisonment, Naroba was released, upon giving security in the nature of bail, for his re-appearance when required. Subsequently to his release, he appears to have undergone some examination before Mr. Chaplin, with reference to the same object, but not at his own request. I shall not at present advert any further to these proceedings, except for the purpose of observing, that no part of this property was ever claimed from Naroba on the ground

of its being his own; but it was claimed solely on the ground of its having belonged to the Peishwa; Naroba is since dead, and this action is brought by the present plaintiff as his executor.

1. Upon these facts, as far as I have now stated them, a variety of questions arise of a preliminary nature; none of which are more important than those which relate to the jurisdiction of the Court, which has been impugned with a pertinacity of opposition, for which the circumstances developed by the witnesses will perhaps more readily account, than any difficulty or obscurity which exists as to the law of the subject. It is true, that very few cases are to be found to afford us light to guide us in our decisions: but, although the cases may be rare, some very analogous to the present have occurred, and principles have been established by them which it is too late now to controvert. The case of *Hall v. Campbell*,\* recognized by Lord Stowell in the case of the *Foltina*,† embraces all the learning relating to the rights of the Crown by conquest, and is doubly valuable, as, being comparatively of a recent date, it not only saves the trouble of recurring to the obsolete learning, but likewise brushes away some of the crudities of the older cases. The resolutions of the Court in that case are all important.

1. A country conquered by the British arms becomes a dominion of the King in the right of his crown, and therefore necessarily subject to the legislature of parliament.

2. The conquered inhabitants, once received under the King's protection, become subjects, and are to be universally considered in that light, and not as enemies or aliens.

3. The articles of capitulation upon which the country is surrendered, and the articles of peace by which it is ceded, are sacred and inviolable, according to their true intent and meaning.

4. The law and legislative government of every dominion equally affects all persons and all property within the limits thereof, and is the rule of decision for all questions which arise there. Whoever purchases lives or sues there, puts himself under the law of the place. An Englishman in Ireland, Minorca, the Isle of Man, or the Plantations, has no privilege distinct from the natives.

5. The laws of a conquered country continue in force until they are altered by the conqueror. The absurd exception as to Pagans, mentioned in Calvin's case, shows the universality and antiquity of the maxim; for that distinction could not exist before the Christian era, and in all probability arose from the mad enthusiasm of the crusades.

6. If the King (by which is meant the King without the concurrence of parliament) has a power to alter the old, and to introduce

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\* Cowper's Reports, 204.

† Dodsons's Adm. Rep. 450.

new laws in a conquered country, this legislation being subordinate to his own authority in parliament, he cannot make any new change contrary to fundamental principles. He cannot exempt an inhabitant from that particular dominion : as, for instance, from the laws of trade, or from the power of parliament, or give him privileges exclusive of his other subjects.

Lord Mansfield then proceeds in giving the judgment of the Court, as follows. Taking these propositions to be true, the only question is, whether the King had himself the power ? (i. e. of putting Granada, as to duties, on the same footing as the other Leward Islands). It is left by the constitution to the King's authority to grant or refuse a capitulation. If he refuses, and puts the inhabitants to the sword, or exterminates them, all the lands belong to him. If he receives the inhabitants under his protection, and grants them their property, he has a power to fix such terms as he thinks proper: he is intrusted with making the treaty of peace ; he may yield up the conquest, or retain it, as he pleases. These powers no man ever yet disputed, neither has it hitherto been controverted, that the King might change part, or the whole, of the law or political form of government of a conquered dominion.

The history of the conquests of the Crown of England is then detailed, which supports the doctrines before laid down in the case :

II. In the case now before us, it has been argued, that the government established in the Deccan by the Marquis of Hastings, was not a legal government, because it has not been shown in evidence to have been specifically sanctioned by the King. But this proposition is so far from being tenable, that it is scarcely decent at this time of day to urge it. The Government of India, with reference to all political arrangements, and more especially the rights of the Crown, must be considered as virtually that of the Crown, whose minister has the immediate control over it. It seems, therefore, to be rather a bold assertion, after so great a lapse of time, to deny the authority which was established in the Deccan.

III. The next question is, how far the Crown may be said to have exercised its right of changing the internal administration of the conquered country ? And here, in the absence of any express document in evidence to prove any confirmatory act of the Crown, it seems most consistent with the natural importance of such acquisitions, to suppose that all acts done by the Governor-General, for the purpose of settling the conquered provinces, have received the approbation of the Government at home. It is not necessary here to advert to the interregnum between the taking of Poonah by Major-General Sir Lionel Smith, and the appointment of Mr. Elphinstone as Commissioner. The question does not appear to be of importance to this case, what sort of polity existed at that time ; but I think it may tend to clear our notions on the rest of the case, to observe that it seems to

follow from the case of *Hall v. Campbell*, that although in a general sense the laws of a conquered country remain the same till altered by the King, yet a great part of the law of every country; namely, that which Montesquieu denominates *le droit politique*, in contradistinction to that which he calls *le droit civile*, is immediately changed by conquest in all cases in which the fundamental principles of the government of the conquered country are inconsistent with those of the conqueror. *Le droit civile* regulates the rights of the citizens amongst themselves; and it is the sound policy, as well as true wisdom, of all nations to interfere as little as possible with the local manners, religion, and laws of a conquered country. The ultimate object, therefore, of all legislature as to British India, seems to have been to preserve that part of the law inviolate to the Natives; and the utmost which has been introduced in the way of innovation, has affected the process rather than the principles of the local civil law. *Le droit politique* is the law of the state, and respects the constitutional rights of the sovereign and the subject, and is necessarily governed by the peculiar system of polity which happens to prevail in the country of the conquering nation. The various systems of civil polity which are known among mankind, are, in origin and fundamental principles, so distinct, that we cannot conceive them to co-exist in the same dominion. Monarchy, limited or mixed, a republic and despotism, are all incapable of combination with each other. It is therefore implied, I conceive, by a necessary consequence, that if a king conquers the dominions of a republic, that the internal polity is instantly changed, and the sovereignty is transferred from many to one man, and *vice versa*; and many important distinctions must immediately arise from such a change: so there can be no doubt that in many particulars of essential importance, the civil polity of the Deccan became immediately susceptible of a great change by conquest. It was under the dominion of a despot;—it then became subject to the King and the legislation of Great Britain.

There is no doubt great latitude always ought to be allowed to a military man holding possession of a newly conquered country. The law of self-defence may permit him to act, in some instances, in an arbitrary and summary manner, and is the same principle upon which all war and hostility is justified. But it is not consonant to any authority with which I am acquainted, to imagine that by giving the name of martial law to his proceedings, he is not amenable to the King's municipal courts for all acts of authority which he cannot justify on the principle of necessity, or some other legal principle applicable to the conquered country. I will not insist much upon actions of a local nature; but I think there is abundance of authority for saying, that all actions of a transitory nature arising out of his proceedings might be maintained in the King's Courts, where their jurisdiction is not limited on other grounds. There are certain eternal principles of justice and humanity, which every person hold-

ing commands of this nature must obey, and which I trust every King's Court will have firmness enough to enforce, when properly resorted to for redress.

But to confine ourselves to the state of things after the appointment of Mr. Elphinstone. The seventh paragraph of Mr. Secretary Adam's letter to him, intimating to him his appointment, runs thus: 'I am directed to inform you that the Governor-General is pleased to appoint you sole commissioner for the settlement of the territory conquered from the Peishwa, and to vest you with authority over all the civil and military officers employed in that territory, to be exercised according to the established principles and rules of the service; and all such civil and military officers will be required to conform to your instructions.\*' By the establishment of such a provisional civil government, with all its subordinate appendages of collectors, judges, magistrates, and others, the same government which has continued in form unaltered till very lately, although not perfected, must be considered to have been inchoate. A total change of a specific kind took place, which must be presumed to have received the King's approbation. What that change was, is not very difficult to be conceived. The Governor-General, in the exercise of his discretion, established in the Deccan the same kind of civil government as existed in the rest of the Company's territories—a government which has long been reduced to a system subject to its own regulation, and implying likewise, that in various cases the countries so governed are liable to the interference of the King's Courts in India, according to their respective jurisdictions. Whether the King or the Governor-General, or Mr. Elphinstone, or any one else, without the intervention of Parliament, could consistently with such a civil government, or by any original power, establish martial law in the conquered country?—what martial law is, with reference to such a subject, or whether it is any law at all,—are questions which I have no particular wish to avoid; but as I do not conceive they lie in my way, I shall not discuss. There is, however, this qualification to be borne in mind, that in a newly conquered country, the introduction of a new system must be in some measure discretionary, and therefore anomalies may occur before a new government is finally established, which circumstances may justify; such exceptions, however, when they occur, must be shown to rest upon their proper and distinct grounds, and cannot be presumed to be right unless the particular expediency or necessity is pointed out.

IV. We then come to the question of the country being in a state of war or peace. The law laid down by Lord Hale† is, that regularly when the King's Courts are open, it is a time of peace in judg-

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\* See Defendants' Exhibit, No. 16, 15th December, 1817.

† *Pleas of the Crown*, vol. i. p. 347,



ment of law. The same doctrine is put in a more forcible manner by Molloy.\* But war, says that writer, (meaning war within the realm,) properly by the laws of this realm or *solemn*, is, when the courts of justice are shut, and the judges and the ministers of the same cannot protect men from violence, nor distribute justice; so when by invasion, insurrection, rebellion, or the like, the current of justice is stopped *et silent leges inter arma*; and the trial of this is by records and the judges of the courts, and not by a jury. Then, according to this rule, can there be a shadow of a reason for saying that Poonah, after the establishment of a civil government there, was not in a state of peace? Can Captain Robertson himself, the judge and magistrate, and exercising daily his judicial functions, say that the current of justice was stopped, and that he could neither protect the inhabitants from violence nor distribute justice? It is true that the courts there established were not the King's courts; but for the sake of the argument, they may be considered so. The usual tribunals in the countries governed by the Company were in existence, and peace and order were established in Poonah and its immediate district. But then, it is said, military operations were carried on long after in other parts of the Peishwa's territories, for the purpose of reducing them to subjection, and therefore Poonah was in a state of war. But how could the possession of Poonah, as a conquered dominion, depend on the reduction of the rest of the Peishwa's territories? It is, I think, obvious, that every part of a country which can be individualised and possessed, and controlled separately, must be considered to have been reduced to a peaceable dominion immediately the civil authority is established and has room to act, and peace and order must, with reference to such part, be considered to have commenced their existence thenceforward.

V. The next question regards Naroba himself. Until the taking Ryghur, he continued in open hostility. After the capitulation, there is no evidence to show that he continued an alien enemy; on the contrary, it appears that he lived for two months previous to his confinement in his house at Poonah, without any personal restraint, and in the bosom of his family. Under these circumstances, I am of opinion that he was domiciled in Poonah, and received into the protection of the British Government as a subject, upon the terms by which the Government professed to rule the country. Those terms held out protection to private property; and as there was no exception of Naroba individually, as long as he remained passive and without committing any overt act of hostility, it is difficult to conceive how Captain Robertson could consider himself authorized to proceed against him in any other mode than that sanctioned by the Company's Government. If the Peishwa had not surrendered, there might have been some doubt as to his character;

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\* De Jure Maritimo, vol. i. p. 9.

but there could be no doubt on Naroba's mind, that the Peishwa's power was extinct; and there is nothing to show that he had not perfectly acquiesced in his obedience to the new Government.

VI. The next question relates to the nature of the seizure; and I think there can be no doubt it was a seizure by Captain Robertson in his civil capacity; how far the army, or at least the force under Colonel Prother, could follow this property, as public property taken in Ryghur, and due to them on the principle of actual capture, is a distinct question foreign to the cause, and not at all concluded by it, as this Court has no jurisdiction *in rem* in the nature of a Prize Court; but that this property was taken by Captain Robertson in his civil capacity is evident from various circumstances, and conclusively, as it appears to me, by his conduct towards Major Fearon, the army prize-agent, then at Poonah.

VII. But then it is contended, that this property was all taken from Ryghur, in breach of the capitulation: that, of course, is matter of fact which I shall consider afterwards; at present, I will suppose it was so; and, with reference to the question of jurisdiction, supposing it to be so, it may be as well to introduce a few observations in this place. It is notorious, although we do not know it judicially, that the Lords of the Treasury have taken the distinction in the adjustment of the claims for booty in the Deccan, between what was taken by actual capture and what was taken by the civil authorities, as the general result of the war. That the two are clearly distinguishable is evident, and the distinction appears to me to have been suggested by cases of maritime prize. It may be useful, with a view to principle, to advert to a case before Lord Stowell, where the distinction between actual capture and a civil seizure raised a question as to jurisdiction. It is the case of the *Two Friends*, an American ship.\* Lord Stowell's observations are important in elucidating the subject before us. 'But another question arises,' he observes, 'whether the jurisdiction is ousted by the landing of the goods, so far as relates to the quantity landed? I confess I see no great advantage likely to accrue to the American owners by this objection; because, if they take the case from this Court on this ground, they must go to another; and, if there is an objection to a British judicature, as I collect from the argument, much is not gained by going to a British court of common law: it would be but to change postures on an uneasy bed. But let us see how far this objection can avail. It is said that the goods being on shore, are out of the jurisdiction of the Court of Admiralty; with regard to the Instance Court, that may be true. In cases of wreck and derelict, I have known many instances of great hardship, and, I will add, of crying injustice, where salvors have been amused with negotiations till the goods were landed, and then the authority of this Court has

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\* 1. Robinson's Admiralty Reports, 282.

been defied, and the just demands of the claimants laughed to scorn. How far such a proceeding would be sustained by a court of common law, is more than it would be proper for me to conjecture, further than that it seems matter of reasonable doubt how far a change of locality so effected would be permitted to defeat the claims of substantial justice. There is no reason to surmise such an intention in these parties, although it does appear that the goods were landed after notice that proceedings were instituted here.

‘But whatever may be the law of wreck and derelict, I conceive it does not apply to these goods, which I consider to be goods of prize: for I know no other definition of prize, than that they are goods taken on the high seas, *jure belli*, out of the hands of the enemy; and there is no axiom more clear than that such goods, when they come on shore, may be followed by process of this Court. In such cases the common law courts hold they have no jurisdiction, and are ever anxious to disclaim it. The case of the *Ooster Ems* is very different from this. In that case there was a material distinction as to the origin of the subject matter, for it was expressly said by the great person who presided, that the goods had never been taken on the high seas; they had only passed in the way of civil bailment on delivery into civil hands, and were afterwards arrested on shore as prize. It was held, that there was no act of capture on the high seas, and therefore that they were not to be considered as prize. But the present case is radically bottomed as prize, and if so, all the consequences of prize will follow.’

The case of the *Ooster Ems* is given in the note (a), p. 284 of the same book. It was the case of a ship stranded on the Goodwin Sands, on a voyage from the Texel to the East Indies. The cargo was sent on shore, and amongst the rest some boxes of silver were deposited with the Prussian Consul. The Wardens of the Cinque Ports claimed the cargo as the property of enemies, being become a prerequisite of Admiralty within that jurisdiction. The master obtained a monition from the High Court of Admiralty to arrest the goods, and remove the cause from the Cinque Ports to the Prize Court there, where he gave a claim for the cargo as Prussian property. The cargo was condemned; but on appeal, that sentence was reversed, and the Lords pronounced that the High Court of Admiralty had not a jurisdiction over the goods proceeded against, and they reversed the decree appealed from for want of jurisdiction. Lords, July 14th, 1784; Present, Lord Thurlow, C., Earl Gower, the Marquis of Carmarthen, and Sir Lloyd Kenyon, Master of the Rolls.

If, therefore, the analogy could be carried through in every respect between sea and land booty, it would not be difficult to define the jurisdiction of the Court in this case. If there were any law of nations applicable to land booty, and there were Prize Courts and other Courts of a peculiar jurisdiction to determine these questions, there might be some ground for arguing that this Court had no juris-

diction. But, unfortunately for the defendants, it is equally clear, that if there are such jurisdictions they must be pointed out to the Court, and if there are none, the jurisdiction of the Court attaches; and it is highly beneficial that it should be so, because all these objections to the jurisdiction have nothing to do with the substantial justice and merits of the case.

VIII. But let us examine this point a little further. The elementary principle, I conceive, of all the law of booty and prize among modern European nations, is, that it originally belongs to the state, and in monarchies to the Crown; whether it be acquired by actual capture from the king's enemies *jure belli*, or comes into the king's dominions in any other way so as to result to the Crown, *jure coronæ*. In England, the origin of various grants and franchises, excluding the ordinary jurisdiction of the King's Courts in cases of maritime acquisitions, is so remote, that little more is known about them except that they have been subsequently recognized by orders in Council. The jurisdiction of the Lord High Admiral is regulated by the orders in Council of 1665. There are other peculiar franchises, such as that of the Warden of the Cinque Ports, who is Admiral within the Cinque Ports; and many others, no doubt, exist of the same nature. Besides these grants, various prize acts have been passed at the commencement of every war and the conclusion of them; the Crown has, in conformity with the provisions of those acts, awarded the beneficial interest in maritime prize to the captors, so that well defined distinctions prevail regarding maritime booty; and the proceedings regarding its condemnation are founded upon and recognised by the conventional law of nations. The parties interested are usually foreigners, and the rights to be adjusted usually depend on the law of nations. These proceedings are *in rem*, and all European nations have concurred in the expediency of considering all the world to be bound by the decisions of Prize Courts: having this original jurisdiction, many other consequences follow, and, amongst the rest, the power of adjusting the rights of captors, and following the goods taken as prize, without being restrained by any local limits.

In all these cases there is no defect of remedy to be apprehended; for there is a proper court for every conceivable case which may arise. But with respect to land booty, in order to show how little the nature of the law has been made the subject of controversy, it is only necessary to advert to the expressions of Lord Mansfield in the case of *Lindo v. Rodney* :\*

'As to plunder or booty in a mere continental land war, without the presence or intervention of ships or their crews, it has never been of importance enough to give rise to any question about it. It is often given to soldiers on the spot, or wrongfully taken by them contrary to military discipline. If there is any dispute, it is regulated by the Commander-in-Chief. There is no instance in history or law, ancient or modern,

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\* Douglas, 613. n.

of any question before any legal judicature ever having existed about it in this kingdom, to contend that such plunder was within the rules and jurisdiction of the Prize Court, might be opposed by the subject matter, the nature of this jurisdiction, the person to whom it is given, and the rules by which he is to judge; therefore the counsel have confined their argument to reprisals ashore by a naval force. At least, I shall consider it as so confined, without entering into any question about booty in a mere land war, as to which I have no right, and it is not now necessary to be decided—*neque teneo, neque dicta refello.*'

The precise case mentioned by Lord Mansfield will, in all probability, never happen; but the present has some affinity to it, and it is now necessary to decide it. It is impossible not to feel some anxiety in doing so; but it is satisfactory at the same time to know that one's judgment, if erroneous, may be reviewed and corrected by those who have both weight of character and experience to give satisfaction to the final result to which they may arrive.

Reasoning, then, upon this matter, as *res integra*, it does not appear to me that there is any original substantial difference between sea-prize and booty taken in a land-war. The conventional law of nations and our own prize acts have given a distinct character to naval prize; but that character does not affect its original nature as we are now considering it, but merely refers to the mode in which the captors shall realize the benefit of it. There is no such prescribed rule respecting land booty, nor, from the nature of mere land war, is it likely ever to have become a subject of importance. Land booty is usually taken in the progress of an army through a country the seat of war, with no view of permanent occupation. Property, whether public or private, is usually confiscated on the spot, because it would be inconsistent with the operations of an army in the field to incumber itself with it, or to postpone the appropriation of it. We may readily imagine questions in speculation, arising out of such circumstances. In the present instance, the conquered country has become part of the King's dominions; a municipal law has been established on the basis of capitulations and proclamations, excluding all questions arising out of the law of nations; the conquered inhabitants, at least all those who have returned to their native homes, have consented to become subject to the municipal law of the conqueror, and have become to all intents subjects. *Prima facie*, then, the Court, in the present instance, has municipal jurisdiction: the property has been seized by the civil authority, and the person in whose right the plaintiff claims it had submitted to the new government. What question is there which we cannot fairly determine on principles of municipal law? The property, whether taken by actual capture, or seized whilst in a state of civil bailment, is claimed only on the ground of its being the Peihwa's, and one would imagine that it was not necessary to ascertain that fact.

But then it is said this is booty taken in right of the Crown; and admitting it to have been so, on the best consideration which I can

give on the subject, I cannot think that a ground for ousting the jurisdiction, in opposition to the substantial justice of the case. In England, it might, perhaps, be the better course to go the Court of Exchequer; but even in England, I am inclined to think that the assertion of privilege by the Court of Exchequer has reference more to the jealousy which prevails regarding their own jurisdiction, than to any fundamental principle of its constitution, as distinguished from the other courts. Here, however, there is no Court of Exchequer, and it is emphatically the reason, therefore, why this Court should have jurisdiction. This proceeding is not *in rem*, and, therefore, even though the King should have an interest, the judgment will not affect him any more than any other person who is not a party to the cause. But there is no occasion to balance that question with any great nicety, for this simple reason, that we may be morally certain, although not technically so, that the King has no interest; and if we should be in any error regarding this point, there is an abundance of means for rectifying it, when the case comes before the King in Council, if it should be thought expedient to carry it there.

X. We come now to the facts in issue in this case. The evidence for the plaintiff establishes a *prima facie* case, resting mainly on the fact of possession.

XI. The defendants' case consists of various attempts to prove that this treasure was in Ryghur, and was removed from that fort. The direct proof entered into relates chiefly to that fact. The presumption which the defendants are desirous of raising from the case is, that the treasure so raised was the Peishwa's. The fort of Ryghur has been described, in evidence, as the strongest fort the Peishwa possessed. Naroba was the killedar and also the soubahdar of the neighbouring province, or Soubah of Mahar. The Peishwa's wife took refuge in Ryghur, and probably a great part of the Peishwa's treasure was carried there.

One class of the defendants' witnesses come forward to prove, that during the time the fort was closely invested by Colonel Prother and the force under his command, Naroba descended from the fort into the very jaws of the invading army, with coolies and followers, to the number of one hundred or more, with a vast quantity of treasure. Admitting this money to have been the Peishwa's, how is it possible to believe so incredible a story, or to reconcile it with the evidence of Major Moor and Captain Miller? They gave a graphic description of the place, and I think it is impossible to hesitate one moment as to the degree of credit to which the Native testimony, opposed to theirs, is entitled.

XII. The next class of the defendants' witnesses are those which attempt to prove that Naroba sent a great quantity of treasure out of Ryghur subsequent to the capitulation. And here, beyond the very slight credible testimony which has been given, we are called upon to take larger strides, in presuming facts, than, I think, any judges or jury were ever called upon to do before. First, we are

to suppose the money so removed to be the Peishwa's; then, to be so large in quantity as to justify the seizure on that ground; and, lastly, we are to conclude that the money taken out of Naroba's house is the identical money which was removed after the capitulation.

XIII. In all this evidence, two things are remarkably characteristic of it: first, its total failure in tracing the identity; and, secondly, that none of the evidence adduced was sought for by Captain Robertson, except for the purpose of this trial. I do not mean to say that it might not have been difficult to obtain it, when our power was but recently established; but the evidence must be of a more respectable and conclusive kind to carry conviction with it, when no investigation has taken place into the circumstances, except for the purpose of the defence in this trial. It is, no doubt, highly probable that many frauds were committed with reference to the Peishwa's money, and much might have been withdrawn, from attachment to the old dynasty; but it is obvious that, constituted as the faculties of the human mind are, to draw any conclusion from so vague a probability as to the right of property, would sap the foundations of all law, morality, and justice. The same remark applies to the difficulty of tracing property in the shape of money. In this form of proceeding we cannot make an equitable decree for the balance of an account; but we must be guided by the usual rules of tracing property. It is a trite remark, that money has no earmark; and although in some cases it is to be regretted that the principle which the law has established leads to a failure of justice, yet it is better that this failure of justice should occasionally take place, than to permit any other rule to have influence, which might be capable of producing the most arbitrary and lawless oppression.

XIV. We now come to Naroba's admissions. The only admission which is totally independent of the question of duress, is that made to Venaik Ram Lurmey, (13th day), who was in some character of servant to the owner of an adjoining house. It is of so slight a value that I wonder it was relied on at all; the witness, a servant, having no natural connection with Naroba, and unable to fix the date of his imprisonment, except by hearsay. It is also most defective with respect to identity. Can we come to any decision upon such testimony, which, moreover, is like all the other evidence, got up merely for this trial, and most probably hunted after for the purpose of avoiding the question of duress?

XV. The next admissions are those which, I have no doubt, have always been relied on by Captain Robertson as the strength of his case—I mean the admissions subsequent to the imprisonment. Of that act I am reluctant to speak in any strong manner. From various circumstances, and especially from Captain Robertson's extreme youth and inexperience at the time, I am inclined to think, that upon whatever principle he acted, he must have acted either by specific orders from his superiors, or from some misconception of

his own authority ; the situation in which he was placed must have suggested more than usual circumspection, and his erroneous notions of authority must have been participated with him by his immediate superiors in office. The criminal imputation, if there be any, of a wilful abuse of power, must be subject to inquiry elsewhere, if it be deemed requisite ; it would ill become me to pass any sentence of condemnation upon him unheard, and in the course of a proceeding in which the Court could only incidentally enter into circumstances of extenuation or palliation. With respect to the private motives of avarice and cupidity, which Mr. Morley's zeal for his client has induced him to throw out against Captain Robertson I cannot think them to have been very seriously charged. At all events, it is my duty to say, that although Captain Robertson might very properly have had some remote view to his own interest, in common with that of his fellow-soldiers, he does not appear to have been primarily actuated by any other motive than zeal to fulfil his duty, and that the sordid imputation of oppressing an individual for his own personal benefit, equally unworthy of a gentleman and a soldier, does not rest on his character.

XVI. Having said thus much, I shall leave the consideration of that which may be called the *criminal* part of the case with this single observation, that if the conduct of Captain Robertson has arisen from an error in judgment, I trust his experience and maturer years have taught him better things. Being called upon, however, to give my opinion upon the effect of this transaction with reference to this case, and having no other *data* than the evidence before us, how can I, or how can any man, help saying, that this imprisonment, which has not been attempted to be justified by any law, or even by an urgent necessity, was not most arbitrary and illegal ? And considering the indelible character stamped thereby upon all the subsequent proceedings, how short-sighted the policy of it is too ? How is it possible to admit any evidence, which can in any way be affected by such coercive proceedings ? I am sure I do not wish to treat the case invidiously : I have endeavoured sincerely and conscientiously to consider it in the same light as I should more ordinary cases ; and I must confess, the more I divest myself of all the adventitious circumstances and feelings which affect my mind, the more glaring appears the injustice of relying upon any admissions subsequent to that imprisonment. Can there be a more natural effect, judging from the history of mankind, than that a person in Naroba's situation should think it good policy to give up a part of his property to secure the rest ? The whole scheme of Mohammedan power in India, from the prince down to the lowest cazee, might impress his mind strongly with that idea ; and I do not know that the history of our own acquisitions in the East would lead a Native to the notion, that even, in a public point of view, our power was founded upon a very nice or forbearing system of appropriation. Viewing Naroba's situation in this point of view, I am of opinion, that all evidence re-



lating to his admissions subsequent to his imprisonment is tainted with duress, and ought not to have any weight in the decision of this case.

XVII. Then what is the nature of the presumptive evidence on the side of the defendants? First, Naroba was a kind of treasurer to the Peishwa. He is dead, and no judicial process was instituted against him in his lifetime;—shall we presume against the present plaintiff, that all this money was the Peishwa's, and none of it Naroba's? or, if part was his, how much was the Peishwa's? Then, does the quantity warrant the presumption that the whole was the Peishwa's? and, if not, what part must be considered so? I am not so conversant with the wealth of the Natives, as even to guess what would be the natural amount of the fortune of a person in Naroba's station. The practice, however, of hoarding would be natural in unsettled times; and, if the intention were to embezzle public property, the concealment seems to have been managed with very little art, and does not show much apprehension of a strict secreting.

XVIII. On the whole of this long case, I am of opinion, upon the gist of it, that there must be a verdict for the plaintiff, at least against Captain Robertson. As it is clear that the money has been appropriated by the East India Company to public purposes, I was also much disposed to think that the plaintiff was entitled to a verdict against them also; but on considering the nature of the action, I have very reluctantly come to the conclusion, that there is not sufficient to affect the Company with the *tort*. I think also the grounds slight for implicating Mr. Elphinstone as a *tortfeasor*. There is evidence of applications of Naroba to him for redress, and promises of inquiry; but that can scarcely be considered sufficient to fix any tortuous act upon him. With respect to the letter put in, I conceive that relates merely to the question between Captain Robertson and Major Fearon, and has no relation to the propriety or impropriety of the seizure in the light we are now considering it.

XIX. In the last place, I have considered a great deal the question of interest. The rule laid down in *trover* is, that the measure of damages is the value at the time of the conversion, and I should be unwilling to deviate from established practice, if it did not materially affect the justice of the case. In this case, there is no doubt that a profit has been made of the money, and no new action could be brought for interest; I, therefore, think it not inconsistent with justice to give interest up to the final judgment, especially as I have been given to understand that in India there have been precedents to warrant it.

*By the Court.*—Judgment for the plaintiff against the defendants, the Honourable Mountstuart Elphinstone, and Captain Henry Robertson, for seventeen hundred and forty-five thousand two hundred and ninety rupees, three quarters, and thirty-two reas, 17, 45, 290, 3, 32).

(True Copy.)

A. FERRIER, Prothonotary.

## EXCURSIONS ON THE BANKS OF THE NILE.

## No. IV.

*Bazars of Cairo—Females of Egypt—Intercourse with India, by way of the Red Sea, as a route of Supply between the Mediterranean and Indian Ocean.*

Nor having yet completed the purchase of my Oriental dress for the voyage into Upper Egypt, I passed the greater part of the day (October 20) in the bazars for that purpose; and willingly prolonged my stay beyond the time barely necessary for the purchases I had to effect, as I felt a great pleasure amidst the infinite variety of objects and characters which every change of place presented me, and considered such intercourse favourable to that knowledge of the people which I was desirous of acquiring during my short stay among them.

These bazars, not being the residences of the dealers, are one continued succession of little recesses, adjoining each other, with no other space than the dividing wall between them; and, when shut up at sun-set; have the appearance of one unbroken range of flat windows. These are about six feet in height, and from six to twelve feet in breadth; being elevated about three feet from the ground, but without a door, or any thing like an entrance, except that formed by taking down the shutters themselves. These shutters, when let down in the morning by their hinges at the bottom, form the benches on which the goods are laid for the inspection of the purchaser, who stands in the street, as the recess in which the seller sits is scarcely ever more than sufficiently large to contain the wares and himself. Some of the higher orders of dealers have their shutters unhinged; and, in lieu of the stall which it would otherwise form, have a permanent little bench, railed around, and furnished with cushions like a sofa, and a carpet in the centre. In this there is room to accommodate two or three ladies at the farthest; who, after some difficulty in mounting, as there are no steps, sit cross-legged at one end of this divan, and the shopkeeper, in the same attitude, at the other, leaving just sufficient space between them for the parcels of goods, which he reaches them, while sitting, from the shelves with one hand, while the never-neglected pipe occupies the other.

The state of privation and confinement in which the women of this country are obliged to live in their houses, renders them so fond of going out, that every opportunity which they can seize of quitting home is like an hour of liberty to the captive; and as the bazars are

the only places in which they can, under any pretence, enjoy the conversation of men, so it is one of their chief amusements to saunter away whole mornings there, for which the Arab mode of dealing is admirably calculated. A party of three or four ladies, veiled and cloaked, mounted on asses, and attended only by a domestic of their own, ride into the particular bazar in which the article they wish to purchase is alone to be found. They alight at the bench of their favourite dealer, and occupy each a cushion on his little divan. These ladies are so completely enveloped, that the husband himself would find it impossible to distinguish his wife from another, without hearing her speak; and it is by the voice only that they are known to the shopkeeper whom they visit. An exchange of compliments commences, which, from the richness of the Arabic language in that particular, allows of the most tender things being said, and can be prolonged to half an hour at least; the bargaining opens, the goods are shown; the lady inadvertently, as she would wish it to be understood by others, shows her fair hand and red-stained nails, merely to feel the quality of the article; the dealer touches it, as inadvertently, in comparing the sensations of his feeling with her own; and hours are thus passed away, in which, from the highly figurative modes of speech in use among them, the tenderest sentiments are exchanged, assignments made, and a constant communication kept up.

For so much of this conversation as related to the manners of the Egyptian females, I was indebted to frequent familiar conversations with my fair hostess, who, being a native of Constantinople, and long resident in Cairo, was perfectly conversant with the language and manners of the country in all their minutest details. She had herself accompanied me to the bazar this morning, as well as on other occasions, veiled and enveloped after the fashion of the Oriental women; and from some instances, which she pointed out to me on the spot, I could not doubt of the veracity of her statement.

My intercourse with the principal merchants of Cairo had given me opportunities also of learning many valuable and interesting particulars respecting the trade of Egypt, and had turned my thoughts to the capabilities of its extension and improvement, both with India and with England, the result of all which I embodied on the spot, in the following observations, which have the merit, at least, of careful investigation, and a disinterested application of facts and reasonings to the subject under review.

In reverting to the geographical position of Egypt, and its connection with the extensive empire of India, on the one hand, and with the whole of Europe on the other; and remembering that the manufactures and productions of the Yemen, Hindoostan, and the Persian Gulf, consumed principally in Turkey, Syria, and the higher parts of the Mediterranean, are conveyed by the distant route of the Cape of Good Hope, passed through the expensive magazines of England, and from thence re-shipped for the Levant, one cannot

but be struck with surprise at the retention of so circuitous a mode of supply to this quarter, and cease to wonder at the difficulty of rendering a trade profitable which has been hitherto carried on through such a lengthened and expensive channel.

Notwithstanding all this, however, the rice, the sugar, and the indigo of Bengal, the coffee of Arabia, the manufactures of Hindoostan, the shawls of Cashmere, the spices of the Eastern Islands, the pepper of Malabar, the gems of Golconda and Ceylon, and the pearls of Manar and Bahrein, are in as high esteem as ever in Egypt, and want only to be relieved from the burthens which are imposed on them, to resume their former currency, at prices which would render them more easily accessible to the purchaser, and, by increase of consumption, make the trade more profitable to the seller.

The abolition of the India Company's exclusive trade to India, or at least its limitation to China, ought, one would think, to have turned the attention of speculators to this ancient route, by which the wealth and power of the ancient Alexandria and Palmyra arrived at such an unprecedented pitch, and the decline of both of which was hastened by the diversion of that commerce into other channels. The discoveries of Vasco de Gama were important, considered either as connected with commercial or political events; and as a route of supply for the islands of the West Indies, the two Americas, and even the northern countries of Europe, the southern passage of the Cape may be always followed with advantage, besides affording facility to the transportation to India of the naval and military forces by that power in whose hands the government of that country may be. But the circumnavigation of Africa, to arrive at the head of the Mediterranean, can never be the most eligible channel of conveyance while that of the Red Sea is open; because practical experience has borne out the clearest of all commercial truisms, that increase of risk and distance is always attended by increase of price, and this by diminution of consumption.

Let us then enter into detail, and see whether such an evil might not be remedied by making Egypt the route of supply from India, both for Asia Minor and the south of Europe generally. As security is the basis of trade, and moderation of duties its principal encouragement, these are the first subjects of consideration. In treating of security, it must be understood that the present Vice Roy of Egypt, Mahommed Ali Pasha, though a professed officer of the Porte, is too independent of that power, to be regulated in his public conduct by any treaties entered into by Turkey, or even by the tariff of duties established between that country and England. The massacre of the Mamelouk Beys at Cairo, in 1809, has given him uncontrolled dominion; and he makes no scruple of declaring, that he would remain neutral in any war into which Turkey might enter, except against Russia, in which the feelings of his soldiery would not admit of his continuing an idle spectator.

Although risen from the Albanian ranks to the elevated station he now fills, Mahommed Ali Pasha possesses a liberality of opinion, and strength of understanding, which surprise every one who know him. Free from the violent prejudices of the Musulman faith, he esteems and courts the society and information of Europeans; and besides endeavouring to adopt from them, by slow degrees, their military tactics, sciences, and mechanical arts, he is, above all, desirous of encouraging a commerce with every country within his reach. Those who know the Albanian character well, would not, however, place implicit reliance on the mere faith of one of that nation in power; but so devotedly is this particular individual attached to mercantile enterprise, that there would be no difficulty in entering into any private treaty with him; and, by ceding to him a share in the capital of the concern, or in the profits it produced, to obtain his protection for all the property passed through his dominions, as well as established rates of duty, sufficiently low to encourage a trade with his subjects. His individual interest would be the best pledge for his observance of conditions framed by himself; and he is too well instructed on the subject of trade, not to know that his interest must, whether as a partner or a prince, be promoted by the permanent security which his government affords to the property of capitalists embarked in it, whether in money or in goods.

On this head I do not speak at random, having been favoured with the opinions of the best informed men in Egypt, in long and frequent conversations with the principal merchants of the court. Not long ago, indeed, a treaty was actually signed by the Pasha in favour of an Italian agent of a Bombay house, pledging facility and security of transport to goods from Suez to Cairo, and fixing the duties at three per-cent. only, *ad valorem*; which treaty was never acted on, however, in consequence, it is said, of the India Company's opposing influence. A more recent treaty has, however, since been negotiated between Mohammed Ali Pasha, the British Consul at Alexandria, and an English gentleman from India, which offered the same advantage of security and low duties to the parties engaging in it: and from which, if followed up with spirit, great advantage may yet be expected to ensue.

With regard to the Egyptian articles of export, import, and barter, in the country, they are at present numerous, and might be easily rendered more so. Coffee from Mocha would be a staple article; and since it has been freed from the difficulties which were thrown in the way of its import from Arabia, by the petty chieftains in the Red Sea being now subject to the Egyptian Vice Roy's power, it could be sent into the Mediterranean, *via* Suez, at a price which would rival the West India, in all the Turkey markets, notwithstanding the run which that article has had; because the preference in favour of Mocha coffee being founded as much on religious prejudice as on its real superiority, is still as strong as ever, and its great

expense has been certainly the sole cause of its declining in demand. The advantages of the Pasha's conquests in Arabia, by the removal of those pillaging chiefs on the sea-coast, and the restoration of general tranquillity, are already apparent, in having rendered the last arrivals of coffee at Suez at a price which has already induced large shipments from Alexandria to Smyrna and Constantinople; and from the operation of the same causes, the price of this article will no doubt still continue to fall. Rice and sugar from India are articles which might always constitute the half of a ship's cargo to Suez; and the muslins of India are in great demand, not only in Egypt, but throughout all the Levant, and go off at good prices, even when brought into these countries from England; a circumstance which needs no comment, as their cost, if brought to Egypt by way of the Red Sea, direct from Bengal, would be lessened fully 25 per cent. The other manufactures of India, from the finest chintzes and coloured goods, down to the coarsest blue cloths of Surat, are in constant demand, and universal consumption. Pepper, pimento, and spices of every description,—indigo, of which they use an inferior sort of their own in immense quantities, but to which the Bengal indigo, as being of a better quality, is always preferred,—Malacca tin, esteemed beyond that of Britain—fine woods, essences and perfumes, —pearls, shawls, gems, and the finery of the East, would complete the exports from India to Egypt, for the supply of the Mediterranean generally, but especially the countries seated on its eastern extremity. The consumption of Egypt alone is steady and extensive, but when that of all Syria, Asia Minor, Constantinople, and the countries for which Malta has been a depôt, are added, it would open an immense field; while the regular trade of this country as now existing, in corn, flax, rice, cotton, dates, senna, gums, natron, &c. &c., would continue its accustomed channels unimpaired, and add to the resources thus opened for enterprising men and extensive capitals.

On the subject of exports from England to Egypt much might be said. Perhaps there is scarcely a country on the globe where prejudices in favour of British manufactures of every description are more general, and where less of such goods are to be seen in the market; a circumstance entirely owing to the limited means of the merchants there, who are in fact mere traders, many of them driven from the continent of Europe by the persecutions of war, and seeking, in the smallest commercial operations, something like a subsistence. The number of the Franks or Europeans in Egypt, who have the least claim to respectability, are very few indeed, and these principally transact commission business for the principal houses at Alexandria. A German Baron, who brought from Trieste and Salonica, via Smyrna, some clothes, chandeliers, glass-ware and trinkets, in 1813, had the largest consignment that has been seen here for some time, and these were the refuse of some auctions which he held at Smyrna but the year before. In short, without searching for further

proofs of the confined means of the European merchants established in Egypt, it may be said, that there are scarcely twenty persons exempt from law-suits before their respective consuls, on account of debts; that the interest of money is often from 2 to 4 per-cent. per month, and the commission of exchange on turning one species of coin into another, taking both at their current value—such as piastres for paras, dollars for sequins, &c. as a matter of accommodation only—is from 12 to 14 per-cent.

Of British goods adapted for the Egyptian market, light benish cloths are the principal article; but as the inhabitants dress very generally in the Mameluke costume, the colours differ from those generally made up for Smyrna, in having scarlet, crimson, yellow, pink, green, and other bright tints, in greater proportions. Dark colours, excepting brown and blue, are seldom seen in a bale. The price varies from eighteen to twenty piastres per pike or cubit; but good qualities sell as high as from twenty-five to thirty piastres, during the festival of the Ramazan, and the month preceding it. Printed cottons are articles of late introduction, but bought up with considerable avidity, particularly those patterns which have so successfully imitated the shawl dresses worn in the East; but as these are so various in colour, width, and figure, samples should be made a guide. No species of goods have realized a greater profit than these in late sales. Lead ore, and lead in pigs, meet a large consumption, as well as copper, tin, and iron in bars, of which this country is entirely destitute; to which may be added every species of ordinary hardware, as locks, long case-knives, razors, nails, common mechanics' tools, &c., the manufacture of all which is in the lowest possible condition, and exorbitantly dear. Gunpowder, balls, leaden bullets, musket and pistol shot, and fortress carriage guns complete, when permitted to be exported, would realize fortunes. Ordinary arms are in abundance; but handsome muskets and pistols always sell. English watches, with Arabic figures on the dials, bring high prices. Cochineal is a standing article, and small quantities of American rum and tobacco would find sale. Green and red sofa coverings, embossed like our fashionable table-cloths in England, made up to suit the cushions and seats of the divans, according to pattern, have doubled their cost. Figured English shawls, in imitation of those of Cashmere, sell very currently; and British muslins, particularly the lappet, coloured, and dotted kinds, are in considerable demand for turbans, sashes, and other garments of dress.

A number of other articles might be occasionally introduced, by the advice of an able and interested correspondent, or even by the merchant resident in England, who might be previously acquainted with the commodities adapted for an Eastern market. The wants of the people in Egypt are nearly the same as through all the Turkish dominions, with very trifling local variations; and while money is equally plentiful among the chiefs of the military, and

those filling the various departments of government, articles of return are in much greater abundance. An assorted cargo from England of cloths, cottons, muslins, hardware, &c. would be certain of success, if not in too great quantities; for here, as in all countries where the consumers are not men of foresight to purchase for the future, nor the merchants men of capital to profit by retaining in hand in times of abundance, the events of the moment are alone considered, and while the slightest scarcity doubles the prices, the least excess sinks them in the same proportion instantly.

For returns, the country itself offers barley, wheat, beans, and other grain, for the Spanish ports; rice of the Delta, and sugar grown and refined in the Saïd or Upper Egypt, for the Levant, with dates, senna, natron, salt, &c. for its accustomed markets; and gums, elephants' teeth, ostrich feathers, gold dust, &c. brought from Arabia, Abyssinia, Sennaar, Darfoor, and the interior of Western Africa, for the consumption of the luxurious capitals of Europe; and all this, exclusive of the trade in Indian commodities, for which this country would in a few years, after once being opened, become the magazine of the Mediterranean.

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### THE CHAMOIS HUNTER.

*Adapted to a Swiss Air.*

WHERE aiguilles rise  
And pierce the skies,  
And glaciers chill  
The valleys fill,  
The chamois there,  
On Alpine fare,  
Will browse;  
But who those heights may gain,  
Such game to rouse?

Helvetia's son  
Those heights hath won,  
Secure he goes  
O'er trackless snows,  
Nor chevass deep,  
Nor headlong steep  
Regards,  
So bok or chamois slain  
His toil rewards.



**SINGULAR DISCOVERY OF A DOCUMENT OF SIR EDWARD HYDE  
EAST AND LORD ELDON.**

*To the Editor of the Oriental Herald.*

SIR,

Bengal, January 1827.

By a singular accident an important manuscript has lately fallen into my hands. It contains a review of the defects in the law, and in the mode of its administration, both in Calcutta and in the Mofussil,\* with suggestions for their improvement, by Sir Edward Hyde East, late Chief Justice of the Supreme Court at Calcutta, addressed to the Lord Chancellor of England. After deferring judgment on the paper for *eight* years, the Lord Chancellor thought the questions were ripe for *calling for further evidence* upon them; and for that purpose transferred the manuscript to the late Sir Henry Blosset, at the sale of whose books and furniture it was purchased by a sircar, in a lot of sundry useful articles, for three rupees fourteen annas.

The manuscript having passed through many intermediate hands, and having been perused by the highest functionaries in this country and in England, it is impossible to say how many have been necessary to, and responsible for, the suppression of these interesting observations. But among all these persons, I hold Sir Edward East himself most guilty of the misprision. He has not only been in England several years, but in parliament. He has not only had opportunities of petitioning the Lord Chancellor for judgment on his paper, but of removing the cause (for default of judgment) before a tribunal which is more wise, more learned, more just, and prompt than even Lord Eldon's,—I mean that of the public. Not only might he have resorted to such methods of obtaining an effectual hearing, but he was pledged to endeavour to procure legislative sanction to propositions which, so far back as 1816, he had represented to be calling for 'the *immediate* attention of Government.' But whatever other parliamentary duties Sir Edward may have performed, we do not find that he ever introduced a bill or made a single motion of or concerning the unfortunate country to which he is indebted for much of his *otium cum dignitate*. When at a distance from the seat of legislation, he had a heart to conceive, and a head to contrive, many fine things for the public benefit; but now when he is on the spot, now when he stands face to face with brother legislators, he has no tongue to utter them. If my notice of this recondite manuscript shall awaken Sir Edward, at this late hour, to some sense of the exertions which would become him in this matter, I shall not have written in vain.

Among the inconveniences which Sir Edward enumerates from the non-extension of certain laws to this country, I do not find that

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\* The interior of India.

he mentions the want of those relating to bankruptcy. This must be owing to the incompleteness of the manuscript, which is an additional reason for Sir Edward giving it, with additions and amendments, to the world. Among the statutes containing provisions which would be useful in this country, I shall merely specify the following, with the heads to which they relate:—30 Geo. II. c. 24. Cheats by false pretences. 12 Geo. III. c. 12. Felon standing mute. 12 Geo. III. c. 20. Justices of peace; marriage of minors; Lord Ellenborough's act. 19 Geo. III. c. 74. Punishments instead of burning in the hand. 39 Geo. III. c. 85. Embezzlement by servants. 48 Geo. III. c. 129. Privily stealing from the person. 43 Geo. III. c. 113. Wilful destruction of ships; protection of the Post-office. 42 Geo. III. c. 67. Stealing of growing crops. Sir Edward proceeds: 'I could extend this list much further. The remedy for these and similar defects seems of two sorts:

'1. To pass a general law extending all past statutes from the 13 Geo. III. inclusive, (in construction of former provisions,) and all future statutes of England to this country; leaving to the Supreme Court to exclude by construction such statutes, or parts of statutes, as may in their judgment appear to be of a character merely local for England, &c., and not applicable to the condition of India.

'Though this would seem to be giving a great latitude of discretion to the Court, yet it is rather in sound than in sense; and is no more than was originally confided to it in respect to the statute law of England down to the 13 Geo. III., concerning which I have never heard any suggestion that the power had been abused, except in the application made in the capital offence of forgery, in a single instance, in the case of Nundcomar; and there the principal stress was laid on its application *ex post facto*. But it can rarely happen that any serious difficulty should occur in the exercise of such a discretion, confined to the negative power of rejection, which, in common sense, would be exercised whenever there was a serious doubt; and sure I am, that, with the ordinary habits of caution belonging to every British judge, no serious mischief is to be apprehended, but rather a judicious selection is to be expected. At all events, the power would be guarded by saving and excepting its application in every case against a positive statute made for the express purpose of BINDING India, which will secure all the particular provisions already given for our government, and provide for every future enactment for our separate use.

'2. The other remedy which I would propose is rather for the benefit of the Native inhabitants of Calcutta, which is, to extend the power of legislation, at present conferred upon the Governor-General in Council, with the consent of the Supreme Court, by enabling them to make general local laws, (such as, in fact, the Governor-General and Council alone have been accustomed to make for the Mofussil,) not merely confined to purposes of police, but

extending to general objects, which would include laws affecting the Native inhabitants, in the points which in another paper I have suggested that they stand in need of, as well as in others which may occur. Such laws to be published in this country, so as to enable the inhabitants to appeal, and confirmed by the King in Council before they are put in force.'

Sir Edward then proceeds to propose remedies for various inconveniences arising from a want of power in the Supreme Court to inflict certain punishments of hard labour in prison, or on public works; from a want of power in the police magistrates to punish petty thefts; from the shelter given at Serampore and Chandernagore to fraud and felony; from the inadequate number of persons legally qualified to serve on juries; and from the injuries sustained by various classes of persons from not being accounted *British subjects*, nor *subjects of his Majesty*, though they are indisputably subjects of the British King and Crown, and of no other. Much of this discussion is of considerable value, but my limits will only permit me to give short extracts by way of specimen.

'The Hindoos have insensibly adopted some of our laws, without any authority, except the sanction of the Supreme Court giving effect to their acts. For instance, they now very generally dispose of their property by will; but the Supreme Court being restrained to give probates of wills, or grant administration of the effects of *British subjects* only, (in the confined sense before noticed,) and the Hindoos having no place of deposit for the safe custody of their wills, there are numberless temptations to forgery, and ample time for their fabrication according to circumstances. The executors are under no obligation to deliver schedules of the personal property upon oath, or accounts of their receipts, by which their fidelity may at any time be brought to the test, if necessary, except by the burthensome process of a suit in equity, which can seldom occur [*query*, be concluded?] in time to have the desired full effect, nor without a previous dispute among the spoliators for a division of the spoil, (and the expence of which can only be borne by an estate of a certain magnitude;) consequently, women, infants, and absentees have no adequate check upon such administration of their properties, whom it is now extremely difficult to fix with the possession, and sometimes even of landed property, at any distance of time; so many ingenious devices have they got for covering such possession in other men's names. In all instances the parties injured run great hazard in substantiating their claims, when all the documents and proofs are in the hands of their spoliators.'

The following passage is deserving of particular attention:

'It is fit to consider in what condition *Native Christians* are, if they be not *British subjects*. They are native born, and cannot, upon any common principle of justice, be debarred from colonizing in their native and only country (!) What is the law of inheritance or succession, or

marriage, out of the precincts of Calcutta? Can the *Hindoo* or *Mohammedan* law be administered to them as Christians? The attention of Government is seriously called to this subject, which every day may bring into open legal discussion.' [A most singular discussion it would be, whether a Native Protestant was verily and indeed a Christian man, or to be treated as an idolatrous polytheist!] 'Though the general question of *colonization* of British subjects in India should be regarded in the same light now as it was before, the East India trade was thrown open [and Sir Edward is perfectly content that it should be so regarded] to the monopoly of which it seemed to bear the closest affinity; and though *measures are now in train* for assimilating to the British Government, or satisfying the nascent influence and ambition of the great landed proprietors who are growing up under the Permanent Settlement,' [to what measures does he allude?] 'without any counterpoise of British territorial power, or of British influence, except that of office, every day sinking in relative wealth; still the condition of these persons, as the only links in the chain of popular connection, will deserve reconsideration.'

We have next a curious piece of information touching the genealogy of the Barretto family; and some speculations respecting the actual creed of the celebrated Ram Mohun Roy—the legality of his issue on a question of inheritance—and whether 'if he terminate in a Christian, he can have a plurality of wives'!

In recommending that the *privileges* of British subjects should be communicated to Native Christians, Sir Edward could not avoid stumbling on the shameful part of the law, namely, their disability to hold land, and their liability to transportation without trial; and it is worth observing with what undisturbed gravity and complete indifference he passes over circumstances, in some respects ludicrous, but more calculated to excite astonishment and abhorrence.

'If it were thought proper,' says Sir Edward, 'to put Native Christians at once upon the footing of *British* subjects in all respects, if born within the British dominions in India, it may be done by a general declaratory law, that all persons born within the British dominions in India, and domiciled in Calcutta, being Christians, have been, and shall, so long as they are thus domiciled, be deemed, to all intents and purposes, to be British subjects within the meaning of the charter of 1774, and of the several acts of Parliament passed for the regulation and government of the British dominions in India, *saving to them all rights of holding land as Native born subjects, and exempting them from being sent to Great Britain as UNLICENSED persons, &c. or for trial and punishment*'!

'At all events,' observes Sir Edward, 'there are two points to which the immediate attention of Government is called for the whole class of Native Christians, if it should not be thought more politic and advisable at once to declare them British subjects. [SAVING TO

them, &c. &c.] The one is to enable the Supreme Court to grant probate of their wills and letters of administration of their intestates' effects.'

'The other point for *present* consideration is, that these Christians of Native or foreign extraction settled here, and half castes, cannot for the same reason avail themselves of one of the most beneficial clauses in the charter of the Supreme Court, without which few can dare enter into contracts with any Native or foreigner, being beyond the jurisdiction of it. The 13th clause states, that the Court shall have power and jurisdiction to determine all such causes, &c. against every other person or persons whatsoever, *inhabitants* of India, residing in the said provinces, &c. of Bengal, &c. upon any *contract or agreement in writing*, entered into by any of the *said inhabitants* with any of his Majesty's subjects, exceeding 500 rupees, where such inhabitants shall have agreed in the said contract, that, in dispute, the matter shall be determined by the Supreme Court.'

These two defects still remain to be supplied; but doubtless it will be deemed politic and advisable to *avoid the form* of communicating to such persons all the rights and privileges of British subjects, except those of being incapable of holding land, and of being liable to transportation without trial, with destruction of property and temporal ruin.

The rest of the MS. is occupied with recommending the introduction into the Mofussil of the whole body of law, English and Native, which is administered in the Supreme Court, with the use of the English language, and of English pleaders in the Mofussil courts. To all which there are but two objections: First, That which has been made to the appointment of a collector of the window-tax in the Sunderbunds,—the country is not yet ripe for such changes. Secondly, Without the communication of certain privileges to British subjects, which are *not* included among the remedial measures recommended by Sir Edward, the country *never* will be ripe—never will be more adapted for the reception of such improvements than it is now.

M. B.

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#### TO FREDERICA.

FAIR and young, why pensive grown?  
Rouse, and be happy! do not own  
Eyes that languish, brows that frown,—  
Dreary cares may come at leisure;  
Ere youth passes, taste its pleasure;  
Robbing age will seize the treasure;  
In thy dotage grow sedate,  
Cares can never come too late,  
And youth deserves a happier fate.

JOURNEY ACROSS THE PENINSULA OF INDIA, FROM MADRAS TO  
BOMBAY. BY A MADRAS CIVILIAN.

No. I.

*Modes of Travelling, and Description of Equipage used in India ;  
Route and Sketch of the Country from Madras to Arcot.*

CIRCUMSTANCES having rendered it necessary for me to proceed from Madras to Bombay, and the country between Hyderabad and Poonah being in an unsettled state, I chose the route across the Peninsula to the western coast, whence I knew there were frequent opportunities of going to Bombay by sea. On the 18th of February, I had made the following preparations for my journey, which I give in detail; that an accurate notion of the usual method of travelling in India may be formed, and that my consequent movements may be better understood:

A palanquin and twelve bearers, with their cook and a massaljie, or lantern-carrier; a servant to prepare my food; five cavadi-men to carry my clothes, &c., which were contained in ten boxes; two of which, slung at one end of a bamboo pole, called a cavadi, made one man's load. Of utensils, a tea-kettle, three tin plates, three or four earthen chatties or sauce-pans without handles, two large tin mugs, a tea-pot, a tin bason, knives, forks, and spoons, a lantern, a copper vessel, with a narrow neck for containing oil: a few pounds of wax candles. Attached to my palanquin behind, a cane case containing an earthen goblet for water, a bottle and a glass, all, except the glass, covered with cane-work, to render them less liable to be broken; materials for writing were contained in my palanquin drawer, above which I placed a few useful and entertaining books. Of provisions, tea, sugar-candy, curry-stuff, a few pounds of biscuit, a bottle of honey, and four bottles of brandy; a fowling-piece, a telescope, a compass. In my palanquin, which itself formed my bed, were placed a blanket and a couple of pillows. As eight only of the boxes were appropriated to my clothes, the two which remained were filled with all the articles just enumerated, in order that my palanquin might be free from encumbrance. Thus equipped, I despatched my servant and the cavadi-men on the morning of the 19th, intending to allow them time to make an easy journey to Streepermatoor, at which place, by starting in the evening, I meant to overtake them early next morning.

On the 20th of February I arrived at Streepermatoor, at 6 o'clock in the morning, and upon inquiry found that my servant and baggage, instead of waiting for me, had all gone forward. Fortunately, my

friend's kindness had furnished me with a hump\* of beef and some bread, and there is a sort of purveyor resident at this place, who supplied my other wants.

Streepermatqor consists of a set of choultries or caravanserais, built for the convenience of travellers, by a Madras Native merchant, named Venkata Runga Piller, whose munificence will be appreciated when I have particularly described the buildings. On the left side of the road, as you enter from Madras, is a row of low houses, made of brick and chunamed outside, which somewhat resembles a set of English alms houses. I did not enter them, as they were all occupied, but I presume they consisted of large square courts, with an open space in the centre, which is the usual form of Native houses. These are intended for the poorer sort of Native travellers. Opposite to them, on the other side the road, there is a spacious† upstairs house, built in a very finished style, and this the founder probably intended for the more opulent of his countrymen. Beyond this house, and on the same side the road, is a pond or tank with stone steps; and on the further side of this stands the house usually occupied by Europeans. This consists of a middle hall, with two rooms at each end of it, and a very cool and pleasant chamber above, which is arrived at by a flight of steps on the outside of the building. The house is built upon a raised foundation, and great pains have been taken to finish it in a style suitable to the taste of Europeans. It is said that when the place was first established, the founder ordered wine and provisions to be furnished gratis to travellers. His bounty, however, was soon so much abused, that he was obliged to desist. Whether this be the case or not, I cannot determine; but the latter part of the story may well obtain credit from present appearances. The walls are smoked and scribbled over, the table is broken, the corners of the rooms have been used for cooking victuals, and, in short, the house is rendered unfit for the reception of any but male travellers.

In a jungle, beyond the European house, there is a small pundal, built of granite; from a raised floor of stone, twelve pillars spring, which support a flat roof of the same material. There are no sides to this construction, which was probably intended for some religious ceremony. Sculptures adorn the sides of the pillars, such as are usually seen in the granite choultries of the Carnatic: namely, a figure of Bala Chrishna, or Chrishna in his childhood; Chrishna chrushing the serpent; Chrishna playing on the flute; Hanuman Rahoo swallowing the moon, &c. From the top of the European house you have a fine view of the surrounding country. It is in

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\* The cattle in India have a hump over the shoulders, which, being composed of fat and lean agreeably mixed, is cut off and salted, thus forming one of the greatest delicacies of the East.

† A house of more than one story is called in Madras an upstairs house.

general flat, and covered with high bushes and Palmyra trees, excepting near the villages, where the lands are cleared and cultivated, and where the common trees of the country, such as banians, tamarinds, and cocoa-nuts, are seen in abundance.

I employed a part of this morning in watching a family of Hindoos, who had taken their station under a tree not far off. The party consisted of a man, his wife, and a daughter about 12 years old, and all their baggage was placed on the back of an ox, the common beast of burden of this country. At about 10 o'clock the wife and daughter had prepared a meal, which the man ate of, but alone; it being the custom all over the East for the females of a family to eat what remains after the males have finished. The usual practice is for the wife to succeed to the plate of her husband, sisters to those of their brothers, &c. As soon as the husband had finished his meal, his daughter brought him the ox's saddle, and he laid himself down to sleep. This practice of sleeping in the middle of the day, and after meals, is general throughout the East, and has been so from time out of mind in all warm climates.\* I had almost forgotten to mention, that before eating he pulled off his turban and his clothes to the waist, which is a universal custom with the Hindoos. It may be further observed, that people of different castes will not eat with each other, neither will a man of any caste eat with a Christian or stranger of any nation. It is curious that this is among the many points of resemblance between the Hindoos and ancient Egyptians, as appears from the following verse in Genesis, chap. xliii. verse 32. 'And they set on for him by himself, and for them by themselves, and for the Egyptians which did eat with him, because the Egyptians might not eat bread with the Hebrews, for that is an abomination to the Egyptians.'

The wife and daughter, who had probably just come off a long journey, were in the mean time busily employed in preparing an afternoon meal. Their whole stock of cooking utensils consisted of four earthen chatties and a brass pot. Their fires were made in two oblong

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\* The Athenians were then engaged at their dinner, after which they retired to the amusement of dice, or to sleep. Herodotus, Clio lxiii.

*Note of Beloe*—In all the warmer climates of the globe, the custom of sleeping after dinner is invariably preserved. It appears from modern travellers, that many of the present inhabitants of Athens have their houses flat roofed, and decorated with arbours, in which they sleep at noon. We are informed, as well by Herodotus as by Demosthenes, Theophrastus, and Xenophon, that anciently the Athenians in general, as well citizens as soldiers, took only two repasts in the day. The meaner sort were satisfied with one, which some took at noon, others at sunset.

The following passage from Horace, not only proves the intimacy which prevailed between Mæcenas, Virgil, and Horace, but satisfies us that at a much later period, and in the most refined state of the Roman Empire, the mode of spending the time after dinner was like that here mentioned.

*Læsum it Mæcenas, dormitum ego Virgiliusque.* Sermon. lib. 1, 5.



holes in the ground, on which the chatties were placed, and a fire lighted underneath. No provision seemed to have been made for fire-wood, and a considerable portion of the morning was therefore wasted in collecting it.

The use of the brass pot, which I have mentioned, was for drawing water, and for drinking out of. The Hindoos believe spittle to be particularly abominable and impure, and are therefore careful not to suffer any part of their bodies to touch their mouths; they believe generally that a vessel which another person has drank out of is lastingly polluted, unless it be made of certain substances, which, according to their superstitions, admit of being cleansed—brass being one of these, is almost the only material of which eating and drinking vessels are made; and here again we find a striking resemblance with the ancient Egyptians; speaking of whom, Herodotus gives the following passage: ‘Their veneration for their deities is superstitious to an extreme; one of their customs is to drink out of brazen goblets, which it is the universal practice with them to cleanse every day.’\* It may seem strange that I have not mentioned among the kitchen furniture plates and dishes, but these are supplied in India to the poor by nature, or at least the materials for making them. The banian trees bear large leaves of so thick and glutinous a quality, that, when pinned together with pieces of straw or thorns, they form a very substantial plate; and textures of this sort are very frequently used as paper with us for packing up small parcels. This tree, the *ficus Indica*, or Indian fig-tree, it is supposed, furnished the leaves with which our first parents concealed their nakedness:—‘And the eyes of them both were opened, and they knew that they were naked, and they sewed fig-leaves together, and made themselves aprons.’† As I was not so completely idle as to spend my whole morning in watching the Hindoo family, I must here leave them.

At half-past six in the afternoon, I started from Streepermatoor, ‡ and arrived at a small place called Bal Chitty’s Choultry, Newpan, on the 21st of February, at half-past six in the morning. Here there is a small-sized granite choultry, beyond which is a small stone tank, and still further on, a few huts on both sides the road compose the village. There are, besides, on the left, two or three small shops, directly opposite the choultry. The extreme heat of the Indian day obliges the traveller to seek shelter from the sun, and as he moves only at night, his opportunities are more rare than in cooler climates of seeing the country through which he passes. As I had been this

\* Euterpe, chap. xxxvii.

† Genesis, chap. iii. ver. 7.

‡ The derivation of the word Streepermatoor is *stree*, a word implying good fortune—*para*, eternal—*mal*, a name of Vishnoo—*oor*, a village or town. ‘The village of the auspicious eternal Vishnoo.’ In like manner, most Hindoo villages are named from some deity.

road three or four times, this will account for my never before having seen a very pretty little village, about half a mile to the left of where I had now put up, and which I took a walk to see.

It consisted of two grassy lanes, one of which crossed the top of the other at right angles. On each side the way, there were rows of clay-built houses roofed with tiles, and before each of these, three or four cocoa-nut trees were planted. The peculiar neatness observable in these dwellings was a sufficient indication that they were inhabited by Brahmins, and that this place was an Agraharan, or Bramani village. At the top of one of the lanes, stood a stone choultry, used only for religious ceremonies, which appeared, from its containing a large wooden elephant, painted white, and ornamented with gilding. On the outside the building several posts had been erected, supporting a ceiling of mats, lined with white cloth, and this had formed a portico, used at some late religious festival. At stated times throughout the year, the Brahmins take out the idol, the object of their worship, from the sanctuary within the pagoda, where he is usually kept, and with much pomp\* have him conveyed around the outside of the pagoda in a certain fixed route, upon some conveyance highly ornamented with silks and streamers. This ceremony, which is called *pratakshanam*, is not very unlike carrying the host in Roman Catholic countries, and is intended to give the common people an opportunity of seeing their god in public. The different Hindoo deities have each a vahanam, or conveyance, peculiar to himself, besides which, there are some common to all; for instance, Shiva's vahanam is a bull; Vishnoo's a red kite; Parvati, the consort, of Shiva, is sometimes seen on a lion; Ganesha, her first-born, mounts his bandecout, (a kind of large rat;) and Hartikeya, the second son of Shiva, rides on a peacock. The wooden elephant is, I believe common to all, as being in general a conveyance of dignity; but the machine which is most celebrated for these excursions of the idol, is the ratha, or car, of which the following description is from Sonnerat, page 227:

‘Le chariot est une machine immense, sculptée sur laquelle les guerres, la vie, et les metamorphoses du Dieu sont représentées : il est orné de banderoles et de fleurs. Des lions des cartons, placés aux quatre coins, supportent tous ces ornemens : le devant est occupé par des chevaux de la même matiere, et l'idol est au milieu sur un pedestal; quantité de Brames l'éventent pour empêcher les mouches de venir s'y reposer. Les Bayadères et les musiciens tous assis à l'entour, et font retentir l'air du son bruyant de leurs instrumens : On

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\* In the sacred processions in early times, the deity used to be carried about in a shrine, which circumstance was always attended with shouts and acclamations, and the whole was accompanied by a great concourse of people. The ancient Greeks styled these celebrities, the procession of the P<sup>ro</sup>Omphi.

voit des pères et des mères de famille tenant leurs enfans dans leurs bras, se jeter à travers pour se faire écraser et mourir, dans l'espoir que la divinité les feroit jouir d'un bonheur éternel dans l'autre vie. Ce spectacle n'arretoit point la marche du dieu, parceque les augures n'auroient point été favorable. Le cortège passoit sur le corps de ces malheureux sans aucune émotion, et la machine achevoit de les bruyer.

It may be some consolation to know that these horrid sacrifices, formerly so common in India, and especially at the Jaggernatha Pagoda, on the coast between Madras and Bengal, are now no longer permitted by Government. In the little village I was now surveying, there was one of these rathas, but it was of a very small size. I have seen one at St. Thomé, which required two thousand people to draw it, and I have understood that in some towns in Tanjoor, a province famous for Brahminical ceremonies, there are cars so large as to require ten thousand people to move them. But to return to the village: it contained a pagoda of considerable size, dedicated to Vishnoo, of whose sect are all the Bramins of the place, and was surrounded by rice-fields and gardens with high hedges of bamboo and tamarind trees. I returned to the choultry after my ramble, much pleased, but not a little fatigued with the exertion I had made. At about four o'clock my palanquin bearers cooked me a curry, but it was so extremely hot\* with capsicum and pepper that I could with difficulty swallow it. This, indeed, is not a common fault of Native dishes, which are in general very cool and palatable. In India, however, even in cooking there is a mode peculiar to each caste, and it was my misfortune that this hot curry was peculiar to that of the palanquin bearers.

Leaving orders with my people to follow me as soon as they had finished their meal, I set out before them on foot, at about two o'clock in the afternoon, and walked on until I came to Damal, a village about three miles from where I had started. This place lies rather low, and has a good supply of water, being irrigated by a channel communicating with the river which passes Arcot. At the further end of the village this crosses, and as it was too broad to jump over, I was arrested in my march. Whilst standing at the brink of the water, a Native, with a child in his arms, came up to me. From him I learned that the place contained about sixty Brahmin families, and a hundred of those of the Pallei caste; and that the latter live by cultivating the land, which is the property of the former, being attached to a considerable pagoda in the neighbourhood. This at present is falling to decay; and though worship is still performed in it, no festivals are held there. The village derives its name from

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\* It is curious that the English are singular in using the word hot, to express the sensation produced by pepper and other spices. The French call it *piquant*, the Italians *picante*.

the son of its founder. From its low situation it is extremely unhealthy, and last year an uncommon fatality took place among the cattle. The little child which my informer carried was a piteous specimen of disease. Its dark skin was of a sickly hue, its mouth parched, and its body feverish : it did not seem to suffer pain, and it uttered no complaint ; but its limbs hung listless down, and its eyes were half closed with languor. It was naked, and its poor father had not, probably, wherewithal to find it proper nourishment. It was one of those real objects of charity which, from the poverty of the population, abound in India.

I remained for above an hour sitting on the stump of a tree, but finding that my bearers did not come up, I began to walk back to ascertain the cause of their delay. I might have suspected that they had run off with my conveyance, had I not been aware of the universal character of these Indians. The caste of palanquin bearers are the most worthy, quiet, and respectable Natives which I have ever met with. They come from the northern parts of the Madras territories, in the neighbourhood of Masulipatam, Ganjam, and Jaggernatha ; and migrating in sets of nine or twelve persons, generally relations, remain at the presidency, or in the service of Europeans, for two or three years, by which time having gained a sum of money they return to their families and home, where they either cultivate the land or fish on the coast. Whilst employed as bearers, they live together in one apartment, and, forming a mess, eat and drink together, and agree among each other in the greatest harmony. After returning for about a mile I met my palanquin, in which, as it was now night, I entered, and soon fell asleep.

23d of February. I arrived at Arcot on the following morning at 6 o'clock, or rather at Ranipettu, which is the name of the cantonment, the town itself being on the further side the river. Arcot is one of the largest stations for troops under the Madras Government, and it is appropriated entirely to cavalry. The barracks, of which there are sufficient for at least six regiments, are ranged in rows over a large sandy plain, which, from the constant exercise of troops, is but thinly scattered with herbage ; from whence it happens that it is one of the hottest places in India. Houses, some of which have gardens attached to them, are seen scattered about, and these are hired by the officers. I have been three times here, but have never seen the place so deserted as at present. One solitary regiment, with scarcely any horses, are its only guardians, the rest being absent in the field. Almost all European travellers in passing Arcot put up at the house of some friend, so that it has not been thought necessary to erect a choultry for their accommodation ; and Natives of course find lodgings in the town. From this circumstance, I should have been obliged to remain during the day in the open air, had it not been for the civility of some old invalid sepoy, who offered me the guard-room close to the commandant's house ; I was here sheltered

from the heat of the mid-day sun, which, even at this season, is very oppressive. Having overtaken my five cavadi men and my servant, I was enabled to come at materials for writing, and I passed the day in penning two letters for England.

At 5 o'clock in the afternoon I started, as the day before, on foot, and was followed by the palanquin. The scenery from Madras, as far as Arcot, may be comprised in a general description, as there is little variety. This country is flat, and here and there are seen villages enveloped in tamarind groves, and surrounded by rice-fields, or the square pyramidal tower of the pagodas rising by the side of a stone tank, amidst palmyras and cocoa-nut trees. The intermediate space between the villages, and which forms the great mass of the land, is what may be called a heath, thickly covered with high bushes of various sorts, from which here and there spring a palmyra tree. Occasionally the road passes between avenues of aged banians, but these have been purposely planted to shade the traveller. I continued walking for several miles, and a very bright moon supplied the place of the light of day. The road to Chittoor, being a cross one, ran through fields and over broken ground, sometimes passing over plains, and sometimes between stony hills. The distant prospects to the west of the ghauts, or mountain boundary which divides the table-land of Mysoor from the plains of the Carnatic, was exceedingly grand; and were it not that a lake was wanting in the fore-ground instead of a barren flat, somewhat resembled the first view of Winandamere in Cumberland.

At about six miles from Arcot we passed into a village between lofty hedges of the cully, a shrub of the euphorbium kind, very common in this country, and whose ramifications resembling coral in form, being filled with a highly caustic milk, give this out on the slightest touch, and thus render it impassable without danger of its wounding. I heard a noise in some of the houses as of the clacking of a mill, and inquiring the cause, was told that the inhabitants were beating rice. As the cultivation of this grain, which forms the almost daily food of the inhabitants of Asia, is a subject worth touching on, I shall here say a few words respecting it.

Two grand divisions are made in India of the produce of land, namely, that which grows by the rains of heaven, and that which is watered artificially, or, in other words, dry and wet cultivation. The former comprehends all kinds of grain and pulse, excepting rice, and the latter the different kinds of rice.

At Madras, the rice cultivation is distinguished into three kinds, according to the season of its growth—semba, car, and manicattoo. The semba is sown some weeks before the rains, very thick, in patches, which are surrounded by an embankment of earth, so as to retain the water three inches deep. By about January, when the lands are flooded with water, and the tanks are filled by the mon-

soon, the young rice has sprung up, forming a carpet of a beautiful tender green colour, and as thick as mustard and cress. It is now time to transplant it, and the fields, in which it is to be set, are covered with water. After being plucked up and parcelled into handfuls, each man or woman takes one in her left hand, and stooping down, plants the stalks into the ground one by one with the right. No particular pains are taken to place it in an upright position; but this it soon attains by its own nature; it ripens in the course of three or four months, when it is cut with a sickle, and placed in a heap in the middle of the field. In the mean time, a space about twenty feet in diameter is prepared with cow-dung and clay, so as to form a hard floor: this is generally in the same field, and in the open air. The rice-stalks being strewed on this, a number of oxen,\* eight or ten, are turned upon it, and constantly driven round and round, by which means the corn is forced from the ear. These oxen, it may be remarked, belong to different individuals, and their labour is paid by their being allowed to eat their fill of the straw, which they do whilst walking. The rice thus separated from the straw is ready for division, the officers of government being on the spot to take their share, and the cultivators theirs; but as some time is consumed in the measurement, it is in the mean time placed in heaps. To prevent robbery, these are piled up as high as the rice will stand, after which, flattened portions of sand, or ashes of cow-dung, are placed on the sides of the cone, and slightly imprinted with a wooden seal. When these are well laid, it is impossible to remove even a handful without breaking the seals.

Rice is sold in the husk; in which state it is called paddy. To clear it from this, is the business of the women of the family, and it is thus performed: it is previously par-boiled with a small quantity of water for about an hour, and then placed on the ground in a heap, and beaten with a long wooden pestle tipped with iron. Two women are necessary to perform this operation *secundum artem*.

\* Herodotus relates of the ancient Egyptians, that they used swine for the same purpose. 'These are, at the proper season, again let loose to shake the corn from the ear.'

*Note of Larcher.*—Plutarch, Eudokus, and Pliny relate the same fact. Valencius does not hesitate to consider it as a fable invented by Herodotus, and the sagacious Wesseling seems to be of the same opinion. Gale, not thinking swine adapted to tread out the grain, has substituted oxen, because in Heyschius and Phavorinus, the word *us* seems to signify an ox. Pococke, in speaking of modern Egypt, says, 'they spread out the corn when reaped, and an ox draws a machine about on it, which, together with the treading of the ox, separates the grain from the straw, and cuts the straw.' Deuter. chap. xxv. verse 4.—'Thou shalt not muzzle the ox when he treadeth out the corn.'—The Hottentots use horses for the above purpose.

They stand opposite each other, with the rice in the middle. One raises the pole with her left hand, and strikes it down with her right, quitting hold of it at the same time, so that it falls into her partner's left hand, who goes through the same exercise. The heap, however, has a constant tendency to spread itself; and to remedy this, the beaters advance the left foot at every stroke, and throw the rice into the centre with their right, thus constantly performing an evolution round it. This, like all other regular labour in India, is accompanied with a song. It was this beating of rice to which my bearers alluded in accounting for the noise within the houses, but as the sound was too loud, I begged one of them to rap at the door of one of the huts, and inquire: on following him, I found myself in the midst of a paper manufactory.

The people, it may be supposed, were not a little surprised at seeing a European enter their habitation, and that, too, late at night; but when they found that I came not with hostile intentions, they became very communicative. As I am at present not well acquainted with the method of making paper in Europe, and there may be some variety in the Indian mode, I may be excused from relating the process as I found it performed.

The cottage, which was about twenty-five feet long and ten wide, had a square hole at one end, five feet wide and as many deep; at the other end there was a stone cistern in the floor, three feet wide and of the same depth. Along the beams above, lines of twine were passed, three or four inches apart from each other, and the walls were of mud, which were whitewashed and clean. The first step is to take old gunny bags, bought of horse-keepers and grain-sellers, and to chop them into small pieces upon a block of wood with an iron bill; they are then thrown into the square hole first mentioned; in the middle of this descends a perpendicular beam, which is fastened at its upper end to the end of a horizontal one; about a foot from the hole are two blocks of wood, and these form the fulcrum of the horizontal beam, which works by a peg run through it on two notches cut in these; at the end of the horizontal beam are two men, who alternately press their weight on it, and release it, so that the perpendicular beam rises and falls with violence into the bottom of the pit; here sits a boy, whose business is to feed the bruiser, by constantly pushing the pieces of gunny under the place where it falls. When the hemp is sufficiently pounded, it is taken to shallow square ponds, outside the house, and there kneaded and squeezed by hand, and macerated in lime-water, as well to destroy its texture, as to bleach it. The bruising, macerating, and kneading, is performed several times before it becomes sufficiently reduced to a pulp; thus prepared, it is mixed with water, and placed in the square cisterns at the other end of the room, being in a state of readiness to be formed into paper; a wooden frame is now taken, about two feet square, and of a gridiron form, each bar of which is somewhat thinner than the little

finger ; over this is placed a square sieve, made of a very fine kind of reed or straw, little thicker than a large pin ; these are placed parallel to each other, and tied together with thread ; each end of the sieve, which is purposely made long, is rolled up, and these rolls afford the opportunity of stretching it by placing two sticks across it ; the frame, with the sieve over it, being adjusted, and the sticks being held down by the hands, the paper-maker squats down on his hams, stirs up the pulp in the cistern with a stick, and immersing the sieve in the cistern, and raising it again, shakes the substance which he has collected gently over it ; a sheet of paper is thus formed upon the sieve, which is then turned upside down, the paper being permitted to fall off upon half a cylinder of wood ; several sheets are dropped on this, one after another, and, notwithstanding they are wet, they do not stick to each other ; the paper is next dried a little, and then plastered against the wall. In this state it is daubed over with a preparation of raw rice and water, ground together in a mortar of stone, with a pestle of the same material, until they form a smooth, thick, white liquid, like cream ; after this sizing, the paper is well dried by hanging it on the lines near the roof of the house ; when entirely free from moisture, it is glazed by rubbing it with a piece of polished quartz, and the edges being cut, it is folded into sheets, and packed in parcels of twelve sheets each, of which the price on the spot is two fanams, or about fivepence.

After this visit to the paper manufactory, I stepped into my palanquin, and slept until the morning.\*

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#### RESIGNATION.

WHEN, bright with joy, with ardour warm,  
Thy animated features beam,  
What change could add a single charm ?  
Couldst thou more sweet, more lovely seem ?

Yes ! more bewitching was thy smile  
When anguish dimmed thy half-closed eye,  
While thou, so all-resign'd the while,  
Seem'dst almost charm'd with agony.

Let others laugh, devoid of woe,  
And fire with joy where pleasures reign,  
'Tis thy peculiar sweetness, fair !  
To feel content when rack'd with pain.

B. G. B.

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\* The continuation of this journey will be given in regular series.



### PICTURE OF TURKISH MANNERS AND OPINIONS.\*

WE have under our inspection a manuscript, the publication of which cannot fail to excite great interest. The author, M. Paléologus, born in Constantinople, of a Greek family, and having passed all his youth in Turkey, has conceived the idea of delineating, in a series of dialogues, an exact portrait of Ottoman manners. These little scenes have no sort of pretension to dramatic effect: they are conversations solely intended to represent forcibly, and thus bring into action a number of details, which a simple recital would leave vague and unperceived in the back-ground. Often even a few words of dialogue are sufficient to render intelligible what a long exposition could only imperfectly delineate. Such is the scene of the reception of Christian ambassadors, and that of the judgment at the tribunal. Among these dialogues, in which the style and subject are exceedingly various, we have made choice of the following, in order to give our readers a specimen of the work. Although the author is a Greek, yet he flatters himself that he has behaved towards his enemies with the strictest impartiality; and already several persons, who have visited Turkey, have assured him that there is no exaggeration in his picture.

To assist the reader in the more clear understanding of his terms, as well as subjects, M. Paléologus appends to his text copious notes and justificatory documents. Want of space, however, will permit us only to advert to those which are indispensable to the understanding of the dialogue:

*Dialogue between a Dervish (an asker of alms), an Imam (the priest of a mosque), and Mustapha, a young Turk.*

MUSTAPHA.—When is the festival of Beyram?†

THE IMAM.—In eight days: twenty have already elapsed since the new moon.

MUSTAPHA.—I confess to you that this Ramadan‡ begins to tire me exceedingly: the days of fasting appear so long. I wait for the sun-setting with as much impatience as for the coming of the Great Prophet; and as soon as I have beheld its last rays hidden behind the mountains, I place myself at table, never to leave it until the morning begins to dawn.

THE DERVISH.—And do you continue to eat all this time?

\* From a French Journal—*Le Globe*.

† The Easter devotions of the Mohammedans.

‡ The Turkish Lent: it lasts one lunar month. During this month, the Koran, according to Mahomet, descended from heaven.

**MUSTAPHA.**—No, I do not eat constantly ; but I console myself for the fasting of the day by never turning my eyes away from those dishes of which I must be deprived again for thirteen hours.\*

**IMAM.**—Undoubtedly, it is a little tiresome to be obliged to fast from morning till night, but—

**MUSTAPHA.**—If at least one might drink : if one could, during the great heat of the season, moisten one's lips with a drop of water, that would be some alleviation.

**IMAM.**—The rules of our religion forbid it. You must obey without murmuring.

**MUSTAPHA.**—It is above all the being deprived of my pipe, which kills me.

**DERVISH.**—So much the better. A good Musulman ought, during these holidays, to abstain from every thing which can give him the least pleasure.

**MUSTAPHA.**—Neither to be able to smoke, nor even to take a pinch of snuff ; it is really very hard.

**DERVISH.**—Whosoever believes in the Prophet ought, during this moon, not only to deprive himself of all that can flatter the senses, but also from laughing, joking, and even from speaking more of his affairs than he can help.

**MUSTAPHA.**—It is very well to say so, Dervish ; but who can observe all the rules so rigorously ? There is not one man in a thousand who can endure such a fast.

**DERVISH.**—So much the worse, Mustapha : so much the worse, my child.

**MUSTAPHA.**—I know that you Dervishes, and even the Imams, are capable of faithfully observing these severe laws ; but it is because you have nothing else to do. You can remain the whole day in bed ; and when one is in bed, one neither thinks of eating, smoking, or conversing. It is not the same with us, who have our occupations to perform, and who run about the whole day. Not only can we not submit ourselves to all the rigours of the fast, but there are even in the remainder of the year a great number of practices to which it is impossible for us to conform. For instance, every good believer ought to go five times a day to the jaami ; † and yet, notwithstanding this, you never see much company there. The generality are content to perform their ablutions at home, when they hear the crier announce the hour of prayer ; and how many again are there who are obliged even to dispense with this duty ?

\* The Ramadan sometimes falls in the summer season, and then the law, which prescribes fasting from the rising of the sun to its setting, is much more difficult to fulfil.

† Mosque.

IMAM.—Is it then much to pray five times a day? The will of God originally was that we should pray fifty times, and it is only at the solicitation of the Great Prophet that this number has been reduced to five. The more we pray, the more agreeable it is to God and his Prophet.

MUSTAPHA.—Undoubtedly : but you must never load an ass with more than he can carry.—Five times ! 'tis a trifle for one who is religious : but 'tis a great deal too much for people who have business. If at the moment when the muezzi<sup>n</sup>\* shouts from the top of the minaret, a merchant is on the point of concluding a bargain, must he risk losing his customer, to run to prayers? and ought the waterman who plies on the canal, to leave his oars and his skiff? Ought the street-porter, who walks bending under the weight of his bundle, to fling it on the ground, in order to run to the mosque?

IMAM.—Under the circumstances of which you speak, they can pray where they are, provided that the four conditions should be fulfilled, and that the prayers should be at the prescribed time.

DERVISH.—But the prayer once began, young man, how the earth trembles under thy feet ! how the thunder bursts over thy head ! how the enemy makes his naked sword glisten before thy eyes ! You ought not to stir from the spot till you have finished.

IMAM.—Above all, never let sordid interest cause you to infringe this sacred law.

MUSTAPHA.—One must gain a livelihood.

DERVISH.—We should, before all things, accomplish our religious duties, and save ourselves from the curse of the Prophet.

MUSTAPHA.—But then a man is reduced to die of hunger, or to rob others for a living.

DERVISH.—God who has created us, will not let us want. Do as we Dervishes do—we never think on the morrow, and yet we live on, notwithstanding.

MUSTAPHA.—Yes, you live by begging ; but confess that if all the world did as you do, you would run the risk of starving.

DERVISH.—Man can always subsist upon herbs, fruits, and water. God is great.

MUSTAPHA.—Without doubt. But such a frugal meal only suits you bachelors : if you had children, could they be nourished with grass?

DERVISH.—And why not? Do not the brute animals so live? and, notwithstanding, their young still thrive, and their species have been preserved and multiplied since the creation of the world. Do you think that men are more necessary on earth than brute animals? Their multiplication is only fatal, for since they have become so numer-

ous, they offend their Creator every moment. If there were not some good believers, like ourselves, the world would have been destroyed long ago : it is our prayers alone that preserve it. I do not speak to thee of the Yaours,\* whom God never regards, and whose existence is indifferent to him. My words apply to our own nation, which was created to be sole and supreme on the earth, but which is now so polluted by our sins, that God and his Prophet appear no longer to look upon us.

IMAM.—Alas ! that is why our empire falls into decay from day to day ! That is why we are no longer respected, either by the Kral† or the Christian people, as our ancestors were. We are now the sport of these unbelievers : they do what they will with us.

MUSTAPHA.—With regard to me, you are deceived, Imam : they do not do what they please with me ; I despise them—these dogs !

IMAM.—Without being aware of it, my child, you allow yourself to be led by them as well as others. Do you not observe that they are the cause of our abolishing every day some of our ancient customs, some of our laws made sacred by so many ages, and established by so many victories. The abominable customs of other nations are being introduced among us by degrees, one knows not how. Every thing is changed in Turkey. Already they meddle with our jurisprudence. We must account to them for the way in which we treat our rayas :‡ they are trying to reform our militia ; and probably you will soon see them driving us away from our possessions altogether.

DERVISH.—If it is so written, we can do nothing to avert it. May the will of the Prophet be accomplished !

MUSTAPHA.—But why do our ministers allow them to proceed thus ?

IMAM.—Our ministers ! they are so vile and so cowardly, that they even pay court to the envoys of those infidels ; they flatter them, they fawn upon them, they go to their houses, they even say that they carry their baseness so far as to be seen eating and drinking at their tables !

DERVISH.—All these celchee § are only spies upon our actions : why do they suffer them to live in the capital ? why do they not send them to the Isles of Princes ?

MUSTAPHA.—I would rather send them to Sheitan ; all to Sheitan (Satan).

IMAM.—If we were to be delivered from them, we should not be saved nevertheless. Undoubtedly our misfortunes have sprung from

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\* Infidels, the epithet which the Turks give to all Christians.

† Christian Kings.

‡ Subjects who are not Musulmans, i. e. Greeks, Jews, Armenians, &c.

§ Ambassadors.

the vices of our ministers; and 'the fish always become putrid first at the head;' but now that is done, the corruption has extended to the people; all the commandments of the great Prophet are trampled under foot. We now see the Osmanlis\* play at the game of hazard. Not only are prayers and fasts neglected, but they are so bold as to abstain no longer from the liquors and viands forbidden so severely by Mahomet. In short, will you believe it? I have seen pork eaten!

MUSTAPHA.—But tell me, I beseech you, you who are so learned, why the flesh of pork is forbidden to us? Can it be true, as I am told, that formerly this animal discovered some leathern bottles full of water, which the Prophet had caused to be secretly interred, in order to produce a miracle in the midst of the desert; and that since, in order to punish this poor beast, its whole race has been cursed, and its flesh forbidden to be eaten?

DERVISH.—What blasphemy!

IMAM.—Young man, what infernal spirit made thee make that impious recital. Had the great Prophet need of such help to perform miracles?—he who was accompanied by millions of legions of angels every time that he went to exterminate the Jews and idolators?—he who has nourished a whole city with a basket of dates?

DERVISH.—The hog is an impure, unclean and grovelling animal, and for this reason we are forbidden to eat its flesh. But even if this motive did not exist, must we reason upon the will of our Master? No, my child, we must believe without examining; that is the true principle of our religion; that is the rule of every good believer. Let the impious and the faithless only argue upon the will of the Divinity.

MUSTAPHA.—Pardon me, Ba-ba-lou, † I have only repeated what I have heard others say.

DERVISH.—We forgive you, because you are young and inexperienced. Imam, pray to the Prophet to obtain his pardon.

IMAM.—'Forgive, oh, saint of all saints! forgive this child, and all those like him. They know not what they say; perhaps they will one day return to the true road of holiness!' (To Mustapha,) you see, young man, how easy it is to fall into the snares of these infidels: behold how their stories corrupt and pervert every day some true believers. In the capital, we yet see a certain respect retained for old customs; but go into the provinces, and you will see their houses painted; you will see golden embroidery on their bodies, large clothes, composed of red and even green ‡ stuffs; in a word, every

\* It is thus that the Turks call each other: all the various names given to them in Europe are considered by them as injurious.

† Plural of Baba, father.

‡ The sumptuary laws of the Turks oblige the rajas to use only dark colours as well for their clothes as their houses. As for the green colour

species of luxury. All is permitted, provided they give money to the Agas (Governors).

DERVISH.—Money now is the chief god. It is preferred to the paradise of another world.

IMAM.—Give a hundred purses to a Pasha, or to the Vizier himself, and you will obtain permission to rebuild a church; give them only a third of this sum, they will allow you to establish a Christian school; thus the half of our empire will soon be peopled with infidels.

MUSTAPHA.—I have heard that they have just translated into our language several books written by the Franks.

IMAM.—Ah! these wicked books, that is, the cruellest plague which the Prophet has caused to be cast upon us as a punishment for our sins.

DERVISH.—May the worms gnaw, may the mice eat, and may the fire consume these odious papers!

IMAM.—Happily the people cannot read; for if the poison contained in these execrable books had come to be spread about, the universal catastrophe of the Ottoman empire would have been already seen.

MUSTAPHA.—Have you read any of these books?

IMAM.—God preserve me from them! and be well aware of even touching them! If any of them fall into your hands, the best use which you can make of them, is to toss them instantly into the fire. Had I been rich I would have bought them all to burn, and by doing that I should have saved millions of souls.

MUSTAPHA.—But I have been assured that all these books are not worthy of such treatment. Undoubtedly there are some of them very bad, such as those which contain the history of the country of the Franks, of their customs, of their habits; those I am of opinion should be destroyed without mercy; but they say that there are others which are not so bad.

IMAM.—They are all bad.

DERVISH.—How can they fail to be abominable, since they come from the country of the Franks? Was there any good thing ever heard of, that came from there?

MUSTAPHA.—But those which treat of the art of war?

IMAM.—Well, do you believe that if these infidels knew any secrets in the manner of making war, they would reveal it to us? The perfidious wretches would rather teach us the contrary, to make us

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it is prohibited even to the Turks, if they are not Emirs; even these can only wear it on the head; they owe this privilege to their being descendants of the Prophet Mahomet's daughter.

fall into their snares. Our fathers, who were so redoubtable, and so powerful in war, had *they* occasion to read the books of the Franks?

MUSTAPHA.—But tell me what harm can those books do, which teach us to count, to calculate, and measure?

IMAM.—We know these things perfectly well already.

DERVISH.—Do not our merchants calculate amazingly well with their rosaries?

IMAM.—We have no occasion for the Franks, either for that or for anything else. We want nothing from them, absolutely nothing.

MUSTAPHA.—Well, they say notwithstanding, that these books are going to be increased here considerably, not as heretofore by copies written by the hand, but by means of a machine of which I forget the name.

DERVISH.—He means probably *THE PRESS*!

IMAM.—Yes! it is that cursed engine for printing! It is already some years since it was introduced here, and it is that which has occasioned the ruin of our unfortunate country!

MUSTAPHA.—But we can by this machine multiply also our good books.

IMAM.—My child! our sacred writings ought to have no familiarity with this infernal engine. I know, indeed, that already they have had the impiety to cause copies to be made by it. But true believers ought to read only manuscripts. When God sent by his archangel the Koran to his great Prophet, ordering it to be spread among all nations, would he not have told him to have it *printed* if he had thought that this had been a good thing? Do not deceive yourself, young man; all that is not written in the Koran, all that is not commanded by the Prophet, and all that our ancestors did not know, or had not made use of, is *bad, pernicious, execrable*, and should be *banished from this empire*! Obey this principle, and not only will you be happy in this world, but you will also enjoy all the pleasures which the Prophet has prepared for his beloved people in the world to come.

### TO SUSANNA.

SUCH mild intelligence, such sweetness beam,  
 Under its deep-fringed lid from that blue eye  
 Some Heav'n-spel'd sylph of purity doth seem  
 Around thy face to shed benignity;  
 Noble as gentle, may thy spotless mind  
 No frowns of fortune or affection find,  
 Artless and faultless model of thy kind!

ON THE MAL-ORGANIZATION OF THE MEDICAL PROFESSION, AND  
OF THE NECESSITY OF A MEDICAL REFORM.

THAT the state of the Medical Profession in the British dominions is not only fundamentally wrong, but in many respects the very reverse of what it ought to be, and consequently that it stands in need of an immediate and thorough reformation, will not be for a moment doubted by any one who closely attends to the occurrences that are daily passing, in regard to this department. The present active proceedings of the different bodies, or branches, into which the profession is divided, are sufficiently in evidence that they are themselves by no means contented with their lot. The Surgeons have already approached the legislature with prayers in support of their particular interests; and it is reasonable to presume that the other branches will not be slow to follow their example. The independent Physicians especially, who form no part of the body which has long exercised exclusive privileges in that branch of physic, are with reason highly dissatisfied, and have entered into an able and succinct detail of their own grievances, and those of the public, in a manifesto, or circular, recently issued to their brethren, purporting to be that of a private Association of Medical Graduates, determined to stand solely upon the rights of their university diplomas. Those grievances are circumstantially and dispassionately detailed in a larger work, published by the same persons, of which the propositions subjoined to the circular profess to be the substance, thrown into the form of distinct resolutions. We shall first present this document, as a text, to the reader; and afterwards comment upon those parts of it which appear to us to stand the most in need of illustration, availing ourselves at the same time of the information, not unfrequently curious and interesting, which is to be found in such abundance in the larger work.

‘ TO PHYSICIANS.

‘ A private Association of Physicians in the metropolis has been occupied more than a year in maturing a plan for improving the state of the medical profession, upon principles founded on the broad basis of public utility. They now offer it for the approbation and support of the great body of the faculty throughout the British dominions; as well as of the community at large.

‘ That in which they are engaged is entirely a common cause, in which all are equally interested. The individuals, who now address their brethren, will therefore not make any personal applications: nor will they even avow themselves, until a number of the faculty, in town and country, sufficient to form a highly respectable and efficient body, shall have signified their intention of co-operating with them. In raising, not unworthily they trust, the standard of professional improvement,



and indicating a safe rallying point for unprotected Physicians, they have rendered the labours of those who may now join them comparatively easy.

It being particularly desirable, at the commencement of an undertaking of this magnitude and importance, to ascertain the sentiments of the faculty, it is earnestly requested that, on receiving a copy of this circular, they will communicate their opinion upon it, either directly, or through some other Physicians. They will please, in order to save the postage of many letters, to transmit their communications in franks, or otherwise free of expense, addressed to the Secretary of the Faculty of Physic in London, and to the care of Messrs. Longman and Co., booksellers, Paternoster-row. Each Physician, receiving a copy of this circular, is requested to communicate it to others; and afterwards to favour the Association with their collective sentiments. Such as do not receive copies will impute the omission, in the absence of a list of the faculty, to ignorance of their address. In order that such omissions may be supplied, information respecting the names of doctors in physic, resident in their own or the neighbouring towns, is requested to be transmitted in the answers returned by Physicians receiving this circular. Suggestions of all kinds will be favourably received and attentively considered. This Association have only further to add, that, since the Surgeons and general practitioners have respectively formed unions, have already presented petitions to the Legislature, and are proceeding to adopt other measures, in support of their particular interests; unless the Physicians also form a similar union, in support of their own rights and those of the public, bad as things now are with this higher branch of the medical profession, it is very far from being improbable that they may still become much worse.

#### THE FACULTY OF PHYSIC IN LONDON.

A few Physicians, who had long observed with regret the detriment to the public, and the debasement to the medical profession, occasioned by the artificial, forced, discordant, disproportionate, and fluctuating state, into which its different branches had fallen, did, on the 27th of July, 1825, constitute themselves into the nucleus of a proposed Association, for the purpose of ascertaining, promulgating, and endeavouring to establish such an organization of that profession, as is calculated, by emulation and competition, to bring into activity the greatest sum of talent, knowledge and integrity; and thereby to insure to the community, in the highest attainable degree, the preservation of health, and the prolongation of life, as well as to the members of the profession themselves the greatest sum of stability and respectability, of which their condition is susceptible.

At various meetings subsequently held, in pursuance of their object, they agreed upon the following principles and rules:

#### PRINCIPLES OF THE ASSOCIATION.

In the organization of the different branches of the medical profession, the main object of consideration, as in all other departments, ought to be the good of the community; by consulting which, also, the respectability of their own members will be best insured.

From the almost fortuitous manner in which laws and institutions have for the most part arisen, and the little share which the public voice has generally had in framing them, in those periods of comparative ignorance in which they originated, it has necessarily happened that they

have been much more calculated for the convenience and aggrandizement of the members of the professions concerned, or their separate branches, than for the benefit of society at large. These observations hold good of the different branches of the medical profession more than of any other; and of that profession, in the British dominions, more than in any other nation.

‘It is essential to the objects in view, that there should be no limitation to the number of any of the branches of the medical profession, excepting what is imposed by the demand; that there should exist complete emulation and unobscured competition among their members; that the public should have a free choice of their medical attendants; that the tests of fitness should be proper and uniform; that examination should be conducted upon determinate principles, and not by bodies having an interest in the issue; and that universities should be regulated with a view to a correct and efficient medical discipline and instruction.

‘It is an obvious deduction from the clearest principles of our common nature, that those members of any profession, who benefit by its mal-organization, will not only not aid in, or consent to, but will on the contrary, by every means in their power, oppose the improvements, which would deprive them of their exclusive privileges: and it follows as a corollary from this proposition, that the representations of parties interested in the perpetuation of existing abuses in this profession should be listened to with distrust.

‘That medical constitution best adapted to maintain the welfare of the community, and the respectability of the profession, we think can best be obtained by free and frequent discussion, by a union of persons, who, from talents and education, are competent to a thorough investigation of the subject, and, from their position in society, have no interest in perpetuating delusion or abuse. In the words of Addison: ‘An honest party of men, acting with unanimity, are of infinitely greater consequence than the same party aiming at the same end by different views.’ There cannot be a doubt that an extended and numerous union of Physicians, affiliated throughout the cities and counties of the British dominions, would speedily be able to produce conviction in the public mind, in the Legislature, and in the Ministers of the Crown, of the utility and necessity of remodelling, upon correct principles, the various branches of the medical profession in the United Kingdom. An Association of the Graduates of Universities, too, it is obvious, can in the mean time establish and maintain themselves in the independent and honourable exercise of their profession, in virtue of the rights conferred by their diplomas, and in opposition to the usurped authority of medical incorporations, and every other species of undue interference. For although it is true that, against such usurpations and interference, every doctor of physic may, to a certain degree, singly maintain his individual rights, it is only by union on an extended scale, that the members of the faculty can permanently obtain complete security and protection.

#### ‘RULES.

‘All Graduates in medicine practising as Physicians are eligible, in virtue of their diplomas, to become members of “The Faculty of Physic in London,” without distinction of university or country. The proceedings of this Association, it is proper here to state, are intended to be wholly prospective.

‘The diploma of the candidate for admission into the Faculty of Physic in London being verified and registered in the office of the Association, upon subscribing to their principles, he is of course entitled to be enrolled as a member.

‘When any question arises rendering eligibility or the exceptions doubtful, or in any other case of difficulty, the doubts to be resolved by the ballot, at the next subsequent meeting, or any more convenient time.

‘Members in the country to be at liberty to vote by proxy.

‘Other rules to be enacted as the occurrences arise, which may seem to call for them; holding always in view the maxim, that the principal security and ornament of an Association, founded on just principles, consist in the absence of all unnecessary restrictions.

‘In the course of the proceedings and discussions which have taken place, it became evident that some more efficient means than had yet been contemplated, of informing the faculty and the public, respecting the nature and extent of the mal-organization of the different branches of the medical profession, were indispensable to the success of the object in view within a reasonable period. The task of investigating the actual state of these different branches, but more especially of that of physick, as well as the causes and consequences of their palpable mal-organization, was therefore deputed to a portion of the associates: and the results of their labours have since been published by Messrs. Longman and Co., in a work entitled “An Exposition of the State of the Medical Profession in the British Dominions, and of the Injurious Effects of the Monopoly by Usurpation of the Royal College of Physicians in London.” To that work reference may be made, as illustrative of the principles and views of the Association. But, in the mean time, it has been thought right to give in the present circular its principal heads, under the form of resolutions, in order that no person who joins them, may be able to allege that any of the principles of the associates have been either misrepresented or concealed, and that all who read them may be led to a due sense of the utility and necessity of a thorough medical reformation:

‘Resolved—1. That, in London, there are 174 Physicians, being, on a population of 1,200,000, one to 7000 inhabitants; whilst, in Paris, there are 600, being, on a population of 800,000, one to 1300 inhabitants. Consequently, in London, the ratio of the Physicians to the population is to that of Paris but as *one to five*.

‘2. That, in London, there are 1000 Surgeons, or one to 1200 inhabitants; whilst, in Paris, there are only 128, or one to 6000 inhabitants; the proportion in London being to that in Paris as *five to one*.

‘3. That, in London, there are 2000 *practising* Apothecaries, or one to 600 inhabitants; whilst, in Paris, there are only 180 *dispensing* Apothecaries or Pharmaciens, or one to 4450 inhabitants; the proportion in London being to that in Paris as *seven to one*.

‘4. That, in London, there are besides upwards of 300 Chemists and Druggists (the *dispensing* Apothecaries or Pharmaciens of other countries), being in greater proportion than that class in Paris, and quite sufficient, under a good organization, to supply all the inhabitants with drugs. This branch has, in this country, under the prevailing system, been called into existence by the wants of the people, within the last half century.

‘ 5. That, in London, the Physicians are to the Surgeons as one to six ; to the Apothecaries, as one to twelve ; to the Chemists and Druggists, as one to two ; to all of them united, as one to twenty ; whilst, in Paris, the Physicians are to the Surgeons as five to one ; to the Pharmaciens, as three to one ; to both united, as two to one ; the ratio which the Physicians in London bear to all the other branches of the medical profession, being to that in Paris as *one to forty* !

‘ 6. That since in Paris no undue restrictions exist, in respect to the different branches of the medical profession ; and since their relative proportions to each other, and to the population, are similar to those which obtain in other cities, where no undue restrictions prevail, it is to be presumed that these proportions are the result of the necessary adaptation, under freedom from undue restraint, of the supply to the demand.

‘ 7. That since there cannot naturally be, in any state of society, such a relative demand for medical, surgical, and pharmaceutical aid, as is indicated by the existing relative proportions of the different branches of the medical profession in London ; and since similar relative proportions do not obtain in cities where no undue restrictions exist, it follows that the artificial, forced, discordant, disproportionate, and fluctuating state of the different branches of the medical profession in London, is mainly the result of the monopolies which relate to these branches.

‘ 8. That the healthy state of the different branches of the medical profession in Paris, and throughout France generally, being admitted to depend upon the due adaptation of the supply to the demand, and their unhealthy state in London, and throughout England generally, to depend upon restrictions which prevent that due adaptation ; and the ratio, which, under these circumstances, the Physicians in London bear to the other branches of the medical profession, being, relatively to Paris, as *one to forty* ; it follows,—the wants of the inhabitants of these cities, in respect to the aid of these different branches, being supposed to be equal,—that the excess of the other branches over that of the Physicians, in London, is as FORTY TO ONE !

‘ 9. That, according to the proportions which exist in Paris, there should be in London, 900 Physicians, 170 Surgeons, and 240 *dispensing* Apothecaries ; in all, 1310, or one to 900 inhabitants : whereas the actual numbers are, 175 Physicians, 1000 Surgeons, 2000 *practising* Apothecaries or *General Practitioners*, and 300 *dispensing* Apothecaries or Chemists and Druggists ; in all, 3475, or one to 345 inhabitants. Consequently, the expenses incidental to sickness are nearly three times as great in London as in Paris.

‘ 10. That the Royal College of Physicians in London were instituted for the purposes of “ preventing improper persons from practising physic, punishing bad practice, and suppressing empiricism ; ” and that, to enable them to carry these objects into effect, they were invested with the powers of prosecuting, fining, imprisoning, and interdicting offenders.

‘ 11. That, in addition to the powers with which they were legally invested, they have usurped others, of which the following are some of the principal : 1. The re-examination of Graduates in Physic ; 2. The limitation of the number of Physicians, and consequently of Medical Students in the Universities ; 3. Their division into different ranks ; 4. The establishment of a higher rank in favour of the Graduates of certain Universities, in which inferior medical instruction prevails ; and, by an unparalleled inconsistency, the degradation to a lower rank of the

Graduates of other Universities, in which medical instruction exists of a superior kind; and 5, by the prohibition under a considerable penalty to meet in consultation with Doctors in Physic who are not of their body, although they do not hesitate to attend with Surgeons and Apothecaries.

12. That the re-examination of Graduates of Universities, by a *private* College, whose rights as Physicians are derived from their University diplomas; who are consequently no higher in rank than those whom they examine; who cannot even confer the title of Doctor in Physic, (in 1704, there were in their list *ten* licentiates who had no such title,) and who have even a direct personal interest in the issue, is, besides being an usurpation, wholly preposterous.

13. That the division of Graduates into distinct ranks, which was at first entirely arbitrary, was in 1752 made to apply to particular Universities, the fellowship being restricted to the Graduates of Oxford and Cambridge, and the licentiates, notwithstanding the parity of rights expressly secured to the Universities by the articles of union, taken principally from those of Scotland.

14. That, during the seventeenth century, the Surgeons and Apothecaries had become so numerous, the Physicians remaining nearly stationary; that it became impossible to restrain them from practising physic; and that they subsequently, under a change of circumstances, and by virtue of particular charters, formally acquired that privilege, whilst the College continued to prosecute physicians, not of their body, for a *similar* *violation of their profession*.

15. That, in France and other countries, whilst the Physician and Surgeon observe some decency and reserve in their encroachments upon each other's provinces, the Pharmacien or Dispensing Apothecary does not encroach upon that of either. In Britain alone is the *practising* Apothecary, Surgeon-Apothecary, or general-practitioner known.

16. That he who exclusively devotes his attention to the practice of physic, must, capacity being equal, be the most skilled in that particular branch; and that he who depends for remuneration upon advice, has less powerful inducements to deviate from duty to his patients, than he who depends for remuneration upon the quantity of drugs which he furnishes. Consequently, as in this country nine-tenths of the practice of physic are in the hands of persons who depend for remuneration upon the quantity of drugs which they supply, and their interests being thus perpetually kept at variance with their duties, the organization of the different branches of the medical profession in foreign countries is far preferable to that which obtains in Britain.

17. That the effects, upon the interests of the public, of the mal-organization of the medical profession in Britain, are, to prevent their having a free choice of their physicians; to substitute surgical or pharmaceutical for medical aid of an appropriate kind; and greatly to enhance the expenses incidental to sickness.

18. That the effects upon the different branches of the medical profession, of the artificial, forced, discordant, disproportionate, and distrustful state, into which they have been thrown by the causes mentioned, are injurious to all of them in a much higher degree than can readily be conceived.

19. That Physicians who are not of the College in London, are pre-

cluded in England, when their professional character is libelled, from legal redress. Upon crossing the Tweed or the Channel, to prescribe for a patient, the eminent professors of Scotland and Ireland may be calumniated with impunity.

20. That, whilst in England, Members of the College of Physicians in London, of the Colleges of Surgeons in London, Dublin, and Edinburgh, and of the Society of Apothecaries in London, are, by the New Jury Act, exempted from serving on Juries, there is no such exemption in favour of Doctors of Physic, not of the London College, even the Members of the Irish and Scotch Colleges of Physicians. They are also liable, in England, to be balloted for the militia, and to perform other obligations, from which the aforesaid persons are exempt.

21. That until the different branches of the medical profession be legally regulated anew, upon unquestionable principles of public utility, it shall be a main object of the Association of the Faculty of Physic in London, by means of a general confederation of the independent Physicians, wherever they may reside, to afford support and protection to all Doctors of Physic, whether practising in town or elsewhere, who shall become members of their body, against the numerous civil degradations to which they are liable, as well as the usurpations of the Colleges of Physicians in London.

22. That the public at large, the members of the Legislature, and the Ministers of the Crown, are earnestly solicited to take this highly interesting subject into their early consideration, in order that efficient remedies may be applied to the very serious grievances complained of, and the disgrace wiped away of being, in respect to our laws in this department, centuries behind other civilized nations.

23. That petitions to the Legislature, and representations to the Ministers of the Crown, founded upon these resolutions, with such additions and alterations as may be judged necessary, be presented at the earliest practicable periods that may be found expedient, with a view to ulterior proceedings for the accomplishment of their object.

By the foregoing propositions, we perceive that very extraordinary and probably singular anomalies characterise the medical profession in this country, both in respect to the relative proportions of its several branches to each other, and to the same branches in other nations. But it requires a close examination to discover the manner in which these anomalies affect society at large, and the medical profession in particular, as well as to trace the causes by which they have been produced, and to indicate the means by which they are to be removed. This examination has been the province of a larger work, to which we have adverted, and the task appears to have been executed with fidelity and discrimination. The inversion of the natural proportions of the branches of the Physician and Surgeon, together with the dispensing of medicines by the Apothecary, or general practitioner, have been satisfactorily shown to have proved highly injurious to the interests of the public, by rendering the expenses incidental to sickness three times as great in England as it is in France. In London, 345 inhabitants have to maintain a medical man, whilst in Paris the expense is divided among 900. Suppose

the income of the 3475 medical men, computed to exercise the profession in London, to average 1000*l.* each, their whole income would be 3,475,000*l.*, of which two-thirds are 2,316,668*l.*, being the annual tax to which the inhabitants of London are subjected in consequence of the mal-organization of the medical profession.

The most fertile source of mischief is in the privilege of prescribing, as well as of dispensing, being in the hands of the Apothecary, by which not only the expense is necessarily greater, but the patient necessarily kept longer on hand, than would happen under a proper organization of the profession. We do not here mean to raise any moral objection to the conduct of the Apothecary: the fault is in his calling; nor do we intend any invidious comparison between his presumed competency and that of the Physician for medical prescription: we shall even suppose them to be equally qualified; and the truth is, that many Apothecaries in London are, both from education and experience, entitled to be considered as possessing the very highest degree of medical competency.

'The only question that concerns us here,' say the authors of the Exposition, 'is, whether the person who depends for the recompense of his labour upon giving advice, or he who depends upon giving medicines, has the most interest or inducement, competency being equal, to prescribe solely for the benefit of the patient? If the former, then no doubt can exist of society being injured by the practice of medicine being in the hands of the surgeon and apothecary, instead of the physician. It cannot, indeed, admit of a question, that those who depend for the recompense of their labour on the quantity of medicines which they dispense, have a strong inducement for sending more drugs to the patient than his situation requires, or that their interest is placed in direct opposition to their duty. Accordingly we hear of apothecaries' bills in London being swelled, in the course of a few months, to one, two, or even three hundred pounds, probably thrice as much as would be sufficient to remunerate the physician, even at the present high rate of fees, during the necessary periods of attendance, under the same periods of illnesses. The case is further aggravated when it happens to poor or middling families to have their bills gradually or unexpectedly swelled out to a large amount, which they are perhaps unable to pay, and for which they may be prosecuted, imprisoned, and finally ruined; whereas, under the care of the physician, they cannot, at any rate, be unknowingly led into an expense beyond their means. These evils are referable to a common source; but of all anomalies, it seems the most strange, that the branch whose original functions consisted in the compounding and dispensing of drugs, should, in the British dominions, now engross the functions of physician, surgeon, apothecary, and accoucheur, under the assumed title of *'General Practitioner'*!

But the patient does not suffer only from the interest of the apothecary being at perpetual variance with his duty; he suffers also from the physician being placed morally under similar circumstances. The practice of physic, in ordinary cases, being wholly engrossed by the surgeon-apothecary, it is only when it suits his convenience, or is necessary to his responsibility, that the physician is called in; and

it almost always happens that the former has influence enough to procure the admission or exclusion of the latter. Of course those are preferred who are noted for being *good apothecaries' physicians*, i. e. for prescribing with a view to the interests of the apothecary rather than to the welfare of the patient. It is notorious, that a man prescribing a few simple and cheap, but efficacious pills, would have no chance whatever with one prescribing three, six, or nine costly but useless draughts a-day. This connivance is well understood, and notoriously practised. The apothecary is supreme, and the physician his mere dependent; and the interest of the latter, like that of the former, is in diametrical opposition to his duty. And between them both, without any impeachment of skill, there is probably no place in the world where patients are one-third so expensively treated, or one-third so slowly cured, as in London.

This evil has been regularly increasing with the age and improvement in the science of monopoly of the London College of Physicians. Nearly a century ago, the celebrated Doctor Dover, in his work entitled, 'The Ancient Physician's Legacy to his Country,' has the following pertinent and honest remarks, which are true, with increased inveteracy, at the present day :

"The apothecaries, generally speaking, have it in their power to recommend the physician, which is the wrongest step the patient can possibly take. The physician, to gratify the apothecary, thinks himself obliged to order ten times more physic than the patient really wants, by which means he ruins his constitution, and too often his life; otherwise how is it possible an apothecary's bill in a fever should amount to forty, or fifty, or more pounds? Nay, I have been credibly informed, that several of those apothecaries have declared they never would call in a physician, but what should put fifteen or twenty shillings a-day in their pockets. What must the conscience of such physicians be that would forfeit their reputation, and every thing that is dear to them, by cheating for others? I would venture to say, neither Sydenham's nor Radcliffe's bills did ever amount to forty shillings in a fever, and yet they recovered their patients without the rule at present prescribed of vomiting, bleeding, and multiplying blisters in all cases whatsoever; so, since this is to be their rule of practice, they are very indifferent in their inquiries what the patient's disease is."

As Dr. Dover wrote his book after he had been in practice *fifty-eight years*, during which period his business having been extensive, and his reputation great, he must have had much collision with the apothecaries; and, moreover, as he appears to have been a man of much candour, what he says upon this subject is particularly entitled to attention :

"The case of Miss Corbet," says he, "was so very remarkable, that it made a very great noise all over the town, insomuch, that the gentlemen of the faculty seemed to be much alarmed. The Right Honourable the Lady Louisa Berkeley being left off by other physicians, and the Right Honourable the Lady Rachael Manners being likewise left off by her physicians, it was agreed on all hands that I kept them alive several days longer than was expected by any person about them. The Lord Irwin



died of the small-pox near the same time; as did the Duke of Rutland, and Mr. Mansel, of a great Welsh family. Great endeavours were used to saddle me with the death of these three gentlemen: it was given out by the apothecaries that I had killed all three of them by introducing a new method of practice; whereas, to the best of my knowledge, I never saw the face of either of them.'

'I never affronted any apothecary, unless ordering too little physic, as curing a patient too soon, is, in their way of thinking, an unpardonable crime. I must confess I never could bring an apothecary's bill to three pounds in a fever; whereas, I have known some of their bills, in this disease, amount to forty, fifty, and sixty pounds. If they can't cure with less charges, I can't forbear saying, that I have the same opinion of their integrity as I have of their understanding.

'Since these gentlemen have been pleased to take such liberties with my character, I think I have an equal right, or that, at least, it will be pardonable in me, if I endeavour to lay open their iniquities to the world:

'So modern 'pothecaries learn the art,  
From doctor's bills, to play the doctor's part;  
Bold in the practice of mistaken rules,  
Prescribe, apply, and call their masters fools.

'When I have attended some of my patients, they have very often given it as a reason for not seeing me, that I do not prescribe every time that I visit them; and have likewise told me, that they learnt this doctrine from the apothecary, *that 'tis your writing-physician only who has a side to a fee*. I must own, at first sight, this carries a very good face with it, and must naturally create in patients a great opinion of the apothecary, who seems, in this respect, to act merely out of regard to their welfare, and not from any view to the doctor's interest or his own. But to me it appears very plainly a deceit, however plausible to others; and, to make it clear to you, only consider that if the physician writes, it must be ten or twelve shillings, at least, in the apothecary's way; and, for my part, I don't look upon this to be at all better than picking one man's pocket to put money into another's.

'Now, I appeal to every unprejudiced reader, whether, if a physician must be compelled to vary his prescriptions when there is no occasion for it, he is consequently left under the greatest uncertainty, and incapable of judging what may or may not be of benefit to his patient? So that if such a practice does not prove fatal to the patient, he runs at least a very great hazard of his life.

'Tis my opinion the less apothecaries' gains are, the better the patients may afford to see their doctor. I know very well, I am no sooner called to see a patient, but it is reported immediately he is dead, and I have killed him; as, in the case of Sir John Blunt, about eight years since, who was struck with the dead-palsy. However, in four days, his senses were perfectly restored to him, and in twelve days he had the same motion, life, and sensation, on that side that was struck, as on the side that was not affected.

'If, by what I have said, I have disoblged all the apothecaries in the kingdom, I have not many more enemies amongst them than I had before. If it should be asked now, what was the original ground of their dislike to me? I can give no other reason, than my being always inviol-

ably attached to the interest and welfare of my patient, and entirely regardless of these gentlemen's unwarrantable gains:

• If, after all that has been said, I am still to be recommended by apothecaries, and must depend entirely upon their good word, I can assure the world, I shall soon retire, where none, except the poor, shall have assistance from me.'

The evils so faithfully depicted by Dr. Dover, about a century ago, have continued regularly to increase to the present period; and they may now be said to have reached a point at which their very enormity must produce a re-action that will contribute to effect their removal. All the calamities connected with the public health for three hundred years, it may be truly said, have depended proximately or remotely on the monopoly and conduct of the Royal College of Physicians. The first half of that period, they were occupied in preventing the people from having any medical aid at all, since their almost constant employment was, to prosecute physicians not of their body, surgeons, apothecaries, and empirics, for practising physic, though their own number was inadequate to supply the medical wants of a twentieth part of the population. Whilst, in towns having under 100,000 inhabitants, in other countries, there may be found 100 physicians; in London, when its inhabitants consisted of 500,000, the members of the College were, by their own by-laws, limited to 20. Hence the whole trade of physic, or at least nineteen-twentieths of it, became contraband, and a great portion of it was necessarily conducted by quacks and empirics. Thus, whilst the public health was sacrificed, and the expenses of the sick for illegal or furtive advice were enormous, the gains almost all went into the pockets of the members of the College, either directly, in the course of their personal attendance, or indirectly, in the shape of fines on the smugglers of medical advice, against whom they assumed even the power of imprisonment of their own authority. This was indeed the most prolific source of their gains. The jails were then almost as full of physicians, surgeons, apothecaries, quacks, and empirics, as they have been in latter times of poachers. And thus, instead of repressing ignorance and empiricism, the avowed object of the establishment of the College of Physicians, the result of their labours during that period was most exceedingly to increase them. Whilst the College were making a double harvest, the public were suffering in their pockets, healths, and lives. Throughout the seventeenth century, the condition of the people, in respect to medical treatment, was calamitous in the extreme, even according to the partial statements of Dr. Goodall, the ecclesiastic historian of the College.

But the wants of the people rendered it impossible that this artificial and forced state of things should always continue. The more power the College obtained, or assumed, the worse were the people served. At length the progress of these evils gradually led to a very different, although not much improved, state of things. They

threw the practice of physic into the hands of the surgeons, and multiplied the class of apothecaries, who assumed successively the titles of surgeon-apothecaries, and general practitioners. The members of these branches, whom it was the common custom of the College of Physicians, in the 17th century, to fine and imprison for practising physic, under the denomination of illegal practisers, did, in the beginning of the eighteenth century, engross at least nineteen-twentieths of that practice, and have continued so to do down to the present time. It was in 1704 that the apothecaries were first formally authorised to practice all the branches of the profession, in consequence of a decision of the House of Lords, reversing a judgment of the Court of Queen's Bench, in the case of one William Rose, an apothecary, prosecuted by the College of Physicians before that Court. From that period the physicians have been the dependents, or under-pick-pockets of the apothecaries; and that state of things, described by Dr. Doyer a century ago, exists in an aggravated form at the present day. Hence the complicated and expensive state of prescription at present in this metropolis. There are very few physicians so independent of that branch as to be able to live without their patronage and protection. But the physician must live, if his patient die. The prescriptions are, therefore, usually calculated, of necessity, much more to serve the apothecary than to restore the patient; and consultations are useless formalities, which only serve the purposes of justifying a fatal event to the patient's family, and of transferring more of his property into the hands of the faculty before it takes place.

We can, therefore, readily perceive why, in this artificial and forced state of the medical profession, in England, in which the public are burthened with three times as many followers of Esculapius as they would have occasion for under its natural circumstances, and with even more than three times the expenses incidental to sickness in other countries, every simple, intelligible, rational, and inductive doctrine, in respect to the treatment of disease, is rejected, and its author vilified; whilst the most complex, unintelligible, and monstrous doctrines, as being more conducive to the interests of those who live by the quantities of medicines they employ, are in general favour and use. This is the inevitable course of cause and effect. But it is proper that their relationship should be developed, with a view to the removal or diminution of the evil; and we find the principle so clearly and humorously treated, in a letter to Dr. Doyer, dated York, May 4, 1733, that, as the writer's observations will equally well apply to the circumstances of 1827, we think we cannot do a more acceptable service to the curious reader than to insert it here. There are, at this day, *mutatis mutandis*, cases so exactly in point, that it might be thought to have been written with a view to them:

‘York, May 4, 1733,

‘SIR—You must have been under the strong influence of some very inauspicious planet, not your friend Mercury: for what less could have hurried

you into so inconsiderate and rash a resolution, of publishing your heterodox notions and practice of physic.

‘Permit a friend to expostulate a little with you upon this melancholy subject.

‘Does not the faculty consist of members actuated by the same passions and prejudices common to all other men? Have they not an interest distinct from that of the community, as they in some measure subsist by the calamities of the public? Are they less sensible than others, of the ease and conveniency of pursuing their ends, the acquisition of fame and affluence in paths ready traced out to them, without the painful and industrious application requisite in seeking new ones? And will they not consequently be obstinately tenacious of their old general received rules, strenuously defend them upon all occasions, and treat every prying reformer as a traitor to themselves, and an enemy to the public.

‘Instead of such reflections as these, you may possibly have imagined that they were all sincere searchers after truth, encouragers of ingenious and diligent inquiries, and always ready to embrace it, when and wherever found; that they were endowed with an humble opinion of their own knowledge, joined with a forbearing and a forgiving temper towards such who differ from them; imputing all real errors to a misinformed judgment, and never uncharitably to a perversity of will and morals. Though it will be readily allowed that there are some few such, men of the greatest ingenuity and integrity, of exalted and improved talents, an honor to the science they profess, and as worthy of our esteem and admiration, as the many low craftsmen are of contempt and ridicule; yet, considering the great disparity of numbers and difference of tempers, whatever your thoughts at that time may have been, you are surely now cured of the infatuation, and convinced that want of orthodoxy in physic is as heinous and as unpardonable a crime with the generality of your fraternity, as it is in points of doctrine with the clergy.

‘If any doubts still remain, (as a little champion against you, says it may be possible,) I imagine some crude mercury, which you often swallow, must have lodged in the parts subservient to the rational faculties, and rendered you *non compos*. What but a mere phrenzy could raise in you so passionate a concern for the public (who are generally unthankful, or insensible of such favours) as to make you entirely regardless of your own welfare? This public spirit you will, I dare say, plead in excuse for so false a step; and it is, I own, what may be urged with a better grace by you than your opposers, for they swim in shoals with the current, and have the approbation and assistance of all, without fears of being in so unequal an encounter: you, on the contrary, labour against the stream, friendless and unaccompanied, and whoever meets you in his way, helps to sink you.

‘A declaration of love for the public, attended with such circumstances, you will say, may be allowed to be sincere, while the violent professions of it by others will be thought somewhat equivocal: they may, indeed, for reasons very obvious, exert the best of their skill to relieve people afflicted with acute distempers, (unwilling to be exactly like the hangman, who sees his patient but once,) and yet be not at all solicitous to keep them in a healthy state, or to eradicate chronic disorders, which yield many crops yearly.

‘But, in the meantime, what harvest are you to reap from this boasted sincerity? Had you obtained the fame of slaying your thousands in a regular course, you might have purged, vomited, bled, and flayed with-

out censure : even your crude mercury, had it been given without success, or concealed, would not have opened one of these *Argus's* eyes ; whereas your recommending the use of it in so undisguised a way, and the rapid progress it has made in curing many disorders, before thought incurable, exposes you to the lash of many tongues and some pens.

' A learned doctor, in a treatise on mercury, sets forth the great obligation nurses and grave-diggers have to you, and makes you as much their friend as the late epidemical disorders. Think you that such an advocate as the antidote, or even the very ingenious *Cantabrigian*, can wipe out stains of so deep a dye ?

' The next is a physical, philological barber-surgeon, who, in a lofty strain, tells the world that the physician is ordained by Almighty God ; and that he proceeds by unerring rules ; but that there are some bold intruders in this high ordination, strangers to these rules, who, relying on guesses, he calls quacks. And after giving a sketch of his medicinal philosophy, his great erudition and pointed wit, upon the merit of using you very roughly, I presume he builds his hopes of stepping into the College in his neighbourhood.

' So sanguine are his expectations of success, that he thus early addresses himself to the favour and protection of the apothecaries ; a piece of policy absolutely necessary in young practitioners, and not to be totally neglected by the most venerable sages of the profession : for whose reputation can long stand the shock of universal charge rung upon their melodious mortars ?

' Another, already dignified, from a barber-surgeon turned into a doctor, in grateful remembrance of such his advancement, employs his many leisure hours in service of the fraternity. His avowed attempt is, to dispossess people of the good opinion they have at present entertained of quick-silver ; wherein he follows the usual method of first defaming and blasting the credit of those who recommend it. Anger seems to have taken possession of the whole man, and left no room for reason ; which, being calm and cool, always flies terrified from so turbulent a companion. Empiric, quack and nostrum-monger, are terms as opprobrious and irritating among men of zeal and learning, as the more vulgar rhetoric is among the fish-women at *Billingsgate* ; *Tantane univis medicantibus ira ?*

' Poor *Belloste*, who died in peace, where he long lived in esteem, as a man of ingenuity and great veracity, is the first who falls a victim to his wrath. He is set forth in the character of an empiric, that his medicine quick-silver may be called quackery : and as if it were much to the purpose, his philosophy is criticised, without giving any attention to the truth or falsehood of the facts quoted.

' What pretence can you have to more favour than he has met with ? You, who are among us daily, practising and inculcating what you have published, must expect at least the like, if not more severe usage : your legacy has spread too far to be longer treated with contempt ; its further progress therefore must be stopped by censures ; every thing you have said or done must be condemned ; notorious facts contested and rendered doubtful ; and your reputation openly attacked, purely with this view, that what you have asserted in relation to quick-silver may find no credit.

' Are you not in full expectation of some such physical sophistry in a treatise shortly to be published, which has been ushered into the world by many public advertisements, importunately inviting all physicians, surgeons, and apothecaries and others, (if any others can be supposed to have candour and veracity equal to them,) to supply cases on the use of quick-silver. The candour of people interested must undoubtedly be

great, if the saying holds true, that *interest will not lie*. That of the publisher will be best shown, in remarking what cases came to him from apothecaries, &c., and what from patients; that the readers may judge for themselves which most to rely on as genuine and fairly stated.

When he has completed this work, he would do well to show his impartiality and public spirit, by collecting in the same manner all cases wherein vomits have proved fatal, and blisters occasioned mortifications, and so on, strictly scrutinising into the good or bad success of many other commonly applied remedies: but this is never to be expected. All fatal miscarriages, purely owing to medicines regularly prescribed, will be for ever valid. Such miscarriages give an offence; it is a discovery how cures may be easily attained without the assistance of doctors, which has gathered a storm just ready to burst on your devoted head.

I hope you may still avert the danger, that these first skirmishes may have abated your courage, and that you will not longer persist in coveting persecution, for the sake of the public, but rather endeavour to mitigate the correction of your adversaries by a silent submissive retreat from the contest. It is prudent to fly with a few wounds from the outlyers only; and, on the contrary, high madness to molest and stand combating with a whole nest of hornets. However you may despise waspish insects, when they are in great numbers, enraged and armed with poisonous weapons, they are no contemptible enemies.

This letter, already grown long and tedious, I thought to have finished here; but I am willing to say something first of myself. My name you know, and experience has showed you some of my good qualities; but be not vainly inquisitive to know more of me; for my nature and efficacy are incomprehensible to human faculties, and will eternally divide the studious labours of the most curious searchers into mysteries.

If you torture me by fire, and stop my flight, can I do less than resent such cruel usage by griping, rending, and in various ways exciting my just rage on the first object I am let loose to? Whereas, unchanged by art, and in the pure state Providence offers me, I am truly a friend of mankind, affording comfort and relief to most of the miserable, who will have but as much faith and confidence in me, as they blindly repose in many mixtures of poisons.

When called in aid, and thus in a friendly way admitted, I speedily and insensibly pervade the whole human system in pursuit of all noxious heterogeneous intruders. None can long resist my invincible force, nor avoid the combat by absconding or flight; the most remote and imperceptible recesses in the labyrinths of the nerves, are as accessible to me as the first more obvious passages. Whenever, therefore, they may have become formidable by possessing an important post in collected numbers, I soon reach the place, and as soon disunite them, and drive them out of the body; gaining a complete victory with so much ease, that, while this war is waging within, all seems to be at peace without; and, when the enemy is dislodged, I repair the damages they may have done, by restoring to all organs sufficient vigour to execute their proper functions.

Nature sends me with her commission and ample powers to enforce in all places a punctual observance of the laws she has imposed; in consequence whereof, when I find the stomach and bowels in a state of rebellion, bringing quick and inevitable destruction upon the whole constitution, I immediately reduce them to obedience and a peaceable state. Whenever any of the great complexuses of the nerves, by intestine jars,

have entangled themselves, at my approach they range into regular order, and give mutual assistance to each other in a friendly embracing intercourse; from whence all hideous and convulsive agonies and tremors cease, giving place to a universal serenity.

'I roll on without control, through tubes inconceivably minute; the very avenues to the seat of the rational soul are open to me. I find free ingress and egress, and am always welcome to that noble inhabitant, who is sensible of the service I do her, in rendering this her temporary abode somewhat comfortable. Were it possible for you, with a just conception, to follow my track through these almost infinite meanders, your admiration of this wonderful machine would be exceeding great. And how just would be your indignation at the presumption of some weak men, who pretend to have unerring rules for rectifying disorders, the situation of which they cannot possibly know, and philosophically to determine the exact progress of what they send blended into this road of circulation; so numberless and intricately disposed are these channels, and their mutual communications, that the only wonder is, that they should ever make a tolerable guess.

'Having thus indulged myself in expatiating on my good and powerful properties, I will now fairly give you an account of some things which are indeed out of my reach. I cannot give eternal duration to a material body liable to daily changes. In my progress through the heart, I cannot correct the vices of it, taken in a figurative sense; it is not in my power to give courage to a coward, to make a knave honest, nor to moderate the raging passions of men of persecuting spirits; I cannot restrain the volubility of a tongue that hath an innate propensity to defamation, nor urge a restive one to a frank declaration of truths.

'Real defects in the gifts of nature are not to be supplied but by a creating power; I cannot, therefore, cause a limb that may be wanting to grow forth, nor can I fill an empty cavity in the head with brains; but, should I make a lodgment in so solitary and unfurnished an apartment, the owner need not be under any apprehensions, for fools were never known to go mad; free from all agitating thoughts and doubts, they enjoy a profound tranquillity of mind, and are happy in an undisturbed conceit of being extremely wise. When you meet with physical philosophers of this class, be not so ill-natured as to attempt to deceive them; let nothing divert you from your judicious course of exploring my virtues by experience; an uninterrupted prosecution herein will produce authorities sufficient to overcome the most obstinate infidelity or wilful blindness; and then your close attention to my service will be richly rewarded, and gratefully acknowledged by your true friend.

**'HYDRARGYRUM.'**

The preceding letter contains some deeply philosophical remarks, playfully and gracefully delivered. How often have simple and efficacious remedies been vilified and abandoned, only because they are unprofitable; and complex, and deleterious ones extolled and applied, only because they are profitable to the craftsmen? It is the singular state of the profession, in England, which is the futile source of this mischief. But medical doctrines are also for a time received or rejected, according to the known or presumed *political* or *religious* creed of their authors. The further consideration of these evils, and of the means of removing them, we are obliged to defer to another Number.

## PLAN FOR THE HEARING AND DECISION OF APPEALS FROM INDIA.

In a former Number of this Journal, we took occasion to draw the attention of the public to a motion in the House of Peers by Lord Lansdown, relative to appeals against decisions made by the courts of law in India, and promised some details of the mode in which such appeals ought to be prosecuted, heard, and put in a train of final adjudication. We have now the pleasure to redeem our pledge, by giving to our readers the substance of a very able and comprehensive statement, which we understand has been already laid before the authorities to whom the duty of effecting reforms of this nature especially belongs. A copy of this excellent plan having come into our possession thus opportunely, we hasten to lay its substance before our Indian friends, who will readily perceive that it is from the mind of one not less remarkable for his thorough understanding of the question than for his zeal in promoting so useful a reform. We need add no more, than a sincere and ardent hope, that the Noble Lord, who, since our first advertence to his motion, has joined the existing Administration, will embrace the earliest practicable opportunity of following up his original intention, by the adoption of some such plan as that so clearly and temperately detailed in the suggestions which we have now the pleasure to introduce to the readers' attention.

The real object of the British Constitution, in considering the King in Council as a Court of Appeal from the different courts established in all the British Colonies, is to secure through those courts, and their respective judges, for all the inhabitants of those colonies, whether Europeans or Natives, by placing them directly under the protection and the superintendence of his Majesty in Council, the strict observance of those different systems of law, which the legislature has deemed wise to establish amongst them.

As it is, therefore, the duty of the King in Council, as a Court of Appeal, to afford that protection to the inhabitants of those colonies, by affirming all such decisions of the colonial courts, as may be in conformity with those systems of law, and by reversing all such decisions as may be in opposition to the same systems of law,—it is obvious that the King in Council, in order that they may discharge their duty as a Court of Appeal, with the least possible delay, expense, and inconvenience, to the parties who are concerned in appeals, and also in order that they may, at the same time, by the soundness and promptitude of their decisions, encourage those who really believe themselves to be aggrieved, discourage those who put in an appeal merely for the purpose of gaining time, or oppressing their adversary, should themselves not only possess a thorough know-



ledge of all the different systems of colonial law, but should always have sufficient leisure to attend to each case of appeal, as soon as it is brought before them.

The King in Council, in addition to the appellate jurisdiction, which they exercised over the British Colonies in the West Indies and in North America, previous to the year 1773, have since been, from time to time, vested by different Acts of Parliament, Royal Charters, and Royal Instructions, with an immense appellate jurisdiction over all the colonies which have, since that period, been acquired by the British arms at the Cape of Good Hope, on the Isle of France, on the island of Ceylon, and in the East India Company's territories in the East Indies.

The appellate jurisdiction with which the King in Council have been vested, since the year 1773, in as far as it relates to the colonies, which have just been mentioned, extends over eleven Supreme Courts, viz. eight King's and three Company's Courts, which have been established in the King's possessions; at the Cape of Good Hope, in the Isle of France, in the island of Ceylon, and in the East India Company's possessions at Calcutta, Madras, Bombay, and Prince of Wales's Island. In order to understand thoroughly the nature of these different Courts, as well as the nature of the different systems of law, according to which they are bound to proceed, it may be necessary to consider them in detail.

The following are the different Courts in the colonies, over which the King in Council exercise an appellate jurisdiction:

The following four are established in King's settlements: viz., the King's Court at the Cape of Good Hope, the King's Court at the Isle of France, the King's Supreme Court of Justice, and the King's High Court of Appeal at Ceylon.

The following seven are established in the East India Company's settlements: the King's Supreme Court at Calcutta, the King's Supreme Court at Madras, the King's Supreme Court at Bombay, the King's Recorder's Court in Prince of Wales's Island; the Company's Courts, called the Sudder Dewanee Adawlut, at Calcutta; the ditto at Madras; the ditto at Bombay.

These three last Courts are established by the East India Company, under the authority of different Acts of Parliament. They are the three High Courts of Appeal, established at Calcutta, Madras, and Bombay, to which an appeal lies, in certain cases, from every inferior court established by the Company, in every part of their three presidencies of Calcutta, Madras, and Bombay, consisting in all of upwards of 80 separate courts, composed of 120 judges; and from which three Company's High Courts of Appeal, an appeal lies, in cases of a certain amount, to the King in Council.

The jurisdiction of the Court at the Cape of Good Hope extends

overall cases, all civil persons, and all lands in that colony. The jurisdiction of the court at the Isle of France extends over all cases, all persons, and all lands in that colony.

The jurisdiction of the Supreme Court, and that of the High Court of Appeal, in Ceylon, taken together, include every case whatever which can occur on that island.

The jurisdiction of the three King's Supreme Courts at Calcutta, Madras, and Bombay, and that of the three Company's High Courts of Appeal, called Sudder Adawlut, taken together, include every case of a certain amount that can occur within the three jurisdictions of Calcutta, Madras, and Bombay.

The jurisdiction of the King's Recorder's Court on Prince of Wales's Island, and that of the subordinate courts in the settlements of Malacca and Singapore, include all the cases that can occur of a certain amount within those three settlements.

The system of law which prevails in each of the above colonies is as follows:

**CAPE OF GOOD HOPE.**—The law in force in this colony is what is called the Dutch Roman law, modified in some instances by the colonial regulations made by the Dutch and the English Colonial Governments respectively.

**ISLE OF FRANCE.**—The law in force in the Isle of France is the Roman law, as modified during the French Revolution in France, and still further modified by the colonial regulations made by the French and the English Colonial Governments respectively.

**ISLAND OF CEYLON.**—1. The law in force in the Island of Ceylon, in as far as it relates to the Dutch, English, and Cingalese inhabitants of the maritime parts of that island, is the Dutch Roman law, modified by the colonial regulations of the Dutch and English Colonial Governments.

2. In as far as it relates to all the Mohammedan inhabitants on the island, the Mohammedan law, as observed amongst the Mohammedans of Arab descent, who inhabit the coasts of Malabar and Coromandel.

3. In as far as it relates to the Cingalese inhabitants of the Kandian country or interior of the island,—the Buddhist law (with some local modifications,) as observed amongst the Buddhist inhabitants of the Burman empire and Siam.

4. In as far as it relates to the Hindoo inhabitants of the north-west, north, and north-east parts of the island,—the Hindoo law, (with some local modifications,) as observed amongst the Hindoo inhabitants of the Peninsula of India.

5. In as far as it relates to the people called the Mocqasus, who inhabit two considerable provinces on Ceylon, the one on the south-

east and the other on the north-west side of the island,—the Hindoo law, as observed amongst the Hindoo inhabitants on the coast of Malabar.

6. In as far it relates to the maritime causes between the natives of India,—the Mallealum and Malay maritime law.

**EAST INDIA COMPANY'S PRESIDENCIES OF CALCUTTA, MADRAS, AND BOMBAY, AND THE SETTLEMENTS OF THE PRINCE OF WALES'S ISLAND.**—The law in force in the whole of the above-named territories of the East India Company, in as far as it relates to the European inhabitants, is the English law, as introduced into those territories, and modified by the several charters of justice by which the several King's Courts have been established in them; in as far as it relates to the immense population of the Hindoo inhabitants, the Hindoo law; and as far as it relates to the Mohammedan inhabitants, the Mohammedan law, subject, however, to the modifications which have been introduced into both of them by the East India Company's local regulations.

From the above considerations, it appears, 1st. That the King in Council, as a court of appeal from the eleven Supreme Courts which have just been mentioned, exercises an appellate jurisdiction which, directly and indirectly, in as far as it relates to persons, includes a population of upwards of 80,000,000 of people. In as far as it relates to territory, includes countries which, independent of the Cape of Good Hope and the Isle of France, extend upwards of 1400 miles in length, and nearly as many in breadth, and which comprise the chief part of that vast region which is bounded by the Indus in the north-west, the great range of the Thibitean mountains in the north-east, and by the Ocean on the south-east and south-west. And in as far as it relates to the nature of the cases which may be brought before the King in Council by appeal, includes every question of contract, inheritance, land, and revenue, of a certain amount, in which, besides all the great interests of the Crown and of the nation, not only the immense revenue of the East India Company, upwards of 15,000,000*l.* sterling a year, and the tenure of every foot of land in their dominion, but also every religious and moral feeling, as well as every prejudice of the people of every religion in the country is most deeply concerned.

2. That the King in Council may, as a court of appeal from those courts, be called upon to decide questions of the utmost importance to the prosperity and tranquillity, not only of the Cape of Good Hope, the Isle of France, and Ceylon, but of every part of India; to consider questions, not only of English, French, and Dutch, colonial law, but some of the most intricate questions of Hindoo, Mohammedan, and Buddhist, law; that their construction of such laws must form the rule of decision as to these laws, not only for every court, superior as well as inferior, established at the

Cape of Good Hope, Isle of France, and Ceylon, but also for every court, superior as well as inferior, established in every part of India; and, finally, that they are called upon, for the due protection of upwards of eighty millions of inhabitants, to exercise a vigilant superintendence and a prompt control over upwards of 150 judges situated between 14,000 and 16,000 miles off from the mother country.

Considering the variety of the different jurisdictions, and of the different systems of law which have been described, it seems obvious that the persons who, from their local knowledge and leisure, are the best qualified for deciding cases in appeal, from the Isle of France, Cape of Good Hope, Ceylon, and the Company's possessions in the East Indies, are those King's judges, who, after having held in the King's and Company's colonies for many years some of the highest and most responsible judicial situations in the gift of the Crown, are allowed to retire upon pensions granted to them for life by the Crown, not only as a reward for their services, but as a mark of public approbation. Their having been appointed to those offices is a proof that they originally were men of known character in their profession. Their having been allowed to retire from office upon pensions is equally a proof that their conduct while in office was such as deserved the approbation of the Government. Their legal education makes them aware of the sort of local information which it is necessary for them to acquire. Their long residence in the colonies, and the influence they derive from their judicial situations, afford them the very best opportunity of acquiring the most authentic information, and the age at which most of them are appointed to those situations, enables them to avail themselves of that opportunity while in the full vigour of their understanding.

As it is therefore highly advisable that the King in Council be enabled to avail themselves, as a Court of Appeal, of the assistance of these judges, if any objections should occur to the King's appointing them members of the Privy Council, it is proposed that his Majesty in Council be empowered by a legislative act, from time to time, to call upon such of these judges as he may think proper to act as legal assessors to the King in Council, whenever they sit as a Court to hear appeals from the colonies.

A Court of Appeal so constituted must always be efficient, and must always be popular in the colonies; it must be efficient, because it must always have in it, at least, some members who are thoroughly acquainted with the peculiar system of colonial law according to which the Court is bound to decide, and with the local circumstances of the people amongst whom that law prevails; who, from long residence in colonies, feel an interest in colonial questions; who, from having retired from office on pensions, have leisure to attend the Court whenever their presence may be necessary; and who, from not having the excuse which other members may have of official avoca-

tions, want of time, and want of local knowledge, must feel themselves to be acting under a much higher degree of responsibility to the public, both as to the soundness and to the promptitude of their decisions.

It must always be popular in the colonies, because it is composed of men, who, as the inhabitants of the colonies themselves know, were originally appointed judges in the colonies by the Crown, with great salaries, and with high rank, for the express purpose of securing for the inhabitants a strict observance of the laws, and for affording to the inhabitants the most ready protection and redress against any oppression which might be offered to their persons or their property—of men to whom the inhabitants themselves have always for this reason been accustomed to look up as to the most faithful of their protectors—of men whom the inhabitants themselves believe to feel an interest in their welfare, whom they know to be thoroughly informed with respect to their laws and customs, and who, they therefore conceive, will be always ready and able to decide upon such cases as are brought before them in appeal from the colonies with the least possible delay, expense, and inconvenience to the parties who are concerned.

The measure of associating the colonial judges, who retire upon pensions from their office, as legal assessors, with the members of the Privy Council, will be gradually attended with the most beneficial effect, as well as to the colonies themselves, as to his Majesty's Government.

To the colonies, because it will afford to these, from time to time, as the judges respectively return to England, and retire upon their pensions, an opportunity of having the state of their laws, and that of their administration of justice amongst them, brought before his Majesty in Council, in the most authentic shape, by persons in whose knowledge, integrity, and judgment, they have the fullest confidence.

To his Majesty's Government; first, because it will enable the King in Council to make a perfect collection of all the different colonial systems of laws which prevail in the British colonies, and to ascertain from the most authentic sources what effect each of those systems has in its respective colonies, what alteration is required in those systems; and how such alterations may be introduced with advantage to the people.

Secondly, because it will enable his Majesty in Council to derive their information from men, whose legal education in England, and whose local experience in the colonies, qualify them to give their opinion on the subject, both as English lawyers conversant with the principles of the British constitution, and as colonial lawyers conversant with the real state of the British Colonies, and therefore qualify them to apply the general principles of law, and the general

principles of the British constitution, to the local peculiarities, and to the state of society in the British colonies.

Thirdly, because it will accustom the colonies to consider the King in Council as a tribunal, in which their respective interests are understood, in which every question relative to them will not only excite a proper degree of interest, but will receive the earliest consideration; and, in which they may therefore be certain of receiving immediate redress on any occasion on which they may feel themselves aggrieved.

As many cases, in which both appellants and appellees are natives of India, have been for many years in appeal before the King in Council, from the Courts of Sudder Adawlut of Bombay, Madras and Calcutta, and as they have not been prosecuted before the King in Council, owing to the parties concerned not having appointed any agents to act on their behalf in England; it is proposed, in order to get rid of all the cases of this description which are now in appeal, and in order to prevent for the future the very great inconvenience which has occurred from the natives of India not having appointed agents in England, and from their ignorance of the steps which they ought to take in England when they appeal to the King in Council,—that the East India Company should appoint in England one of the civil servants, who is thoroughly acquainted with the proceedings of the Zillah, provincial, and Sudder Adawlut Courts, under the three presidencies, Bombay, Madras and Calcutta, whose duty it shall be, acting under instructions, to take care that all cases of appeal from the three above Courts to the King in Council, in which natives of India are appellants and appellees, shall, provided the parties themselves shall not have appointed agents to act for them in England, be immediately brought forward before the King in Council, and be dealt with by them as the circumstances of the case may require.

Although what has been said applies more immediately to the colonies at the Cape of Good Hope, on the Isle of France, in Ceylon, and the East India Company's possessions in India, the plan which has been proposed is just as applicable to the British Colonies in North America, the West Indies, Trinidad, St. Lucie, Demerara, and Barbice. The cases which are appealed from the West Indies being mostly cases of equity, those from North America and St. Lucie cases either of the ancient or of the more modern French law, those from Trinidad of the Spanish law, and those from Demerara and Barbice of the Dutch, and therefore as much within the consideration of those judges who have been alluded to, as the cases which come from the colonies with which they have been more immediately connected.

## ON THE NOBILITY OF THE SKIN.

## CHAP. V.

*The Colonists themselves are interested in the destruction of the Prejudice against Colour.*

THE proclamation of the independence of the United States formed a new æra for America. The principles of freedom being once ascertained, it only remained to deduce from them their due consequences, and to apply them. But mark the injustice of men! Treaties were formed with the savage tribes upon a footing of equality, and scrupulously observed, while, at the same time, the Southern States of the new republic continued the slave-trade, and retained in bondage millions of slaves, whose colour they regarded as an opprobrium. This apparent contradiction may readily be accounted for on the plea of expediency; but no consideration can palliate its iniquity.

The society of Quakers is entitled to everlasting honour. When, in the year 1754, they gave freedom to their slaves, and excluded from the society of friends those who did not follow their example; they set a pattern which all Christian societies ought to have imitated, and which it is to be lamented that Catholics were not the first to give the world.

From that time, the notions of liberty, which, traversing the Atlantic, came to circulate in Europe, the formation of societies of friends to the negroes, both in England and in France, the debates of the Constituent Assembly, animated by so many generous sentiments and high conceptions, and the publication of a number of valuable works, awakening the public attention, have shown that a reform in the colonial system is urgently called for, and must be made, or those who cling to it in its present state will find it crumble to decay, and be crushed beneath its ruins.

A sudden and general emancipation of the slaves would be a wild and perilous measure. Such has never been the aim of any philanthropist, and those colonists who persist in asserting the reverse, lie wilfully with the truth before their eyes. Have we not incessantly entreated the planters to give up the infamous traffic of slave dealing, to treat their negroes with less severity, and to adopt regulations which, tending gradually to ameliorate their position, would obviate that tendency to revolt which a sense of injustice must ever stimulate and excite?

What has been the conduct of colonists? Like all other despots, who never allow those they oppress to be ripe for liberty, instead of rendering the yoke of slavery more light, they have laid addi-

tional weight on it. They have replied to works written in the spirit of reason and benevolence, by abuse of the authors, whom they term *assassins* and *blanchophagi*. According to them, we sharpen daggers on which their life-blood is to stream! we are traitors to our country! After a discussion of this question among the representatives of the nation, persons connected with the slave-trade hired men to cry through all the streets of Paris: 'Here is the list of the deputies who have voted in the debate of to-day in favour of England against France.' At the head of this list was usually placed the name of a man, who, during near forty years that he defended the cause of Africans, stood alone in the breach for at least eighteen or twenty, while his timid compeers were hushed by a sense of danger.

It will doubtless seem incredible to the present generation, that the colonial question, since it has been first agitated in France, has given rise to no fewer than seven hundred publications. Some (by far the smaller number) are written in a spirit of moderation, and claim but justice; others, tinged with bitterness and falsehood, and disgraced by unseemly attempts at pleasantry, have already sunk to oblivion.

The events which have lately changed the aspect of the Old and New World, especially those relating to America, have not virtually affected the question of the slavery or freedom of Africans, but have supplied data by which eventually to resolve it.

It has been found that nations advance more rapidly in knowledge than in virtue. Great talents are sometimes associated in the same individual with immorality, and even with meanness.

In theory, political wisdom is termed the result of moral feeling; in practice, it will be found diametrically its opposite. In old Europe, despotism is organized, while in fact liberty, even when recognized as existing by right, remains inactive. Punic faith and fallacious promises are the tools of power; but by a re-action against hypocrisy, a reasoning people succeeds in shaking off the trammels of prejudice, and breaking the bonds of injurious custom.

Not a few negroes and persons of colour have figured in our armies, engaged in the defence of liberty, in our literary meetings and political assemblies, and the greater part of them are remembered to have filled with honour their several stations. Who does not recal with the deepest interest the tragical death of the young *Mentor*, who, beneath an African complexion of the deepest dye, possessed so good a heart, so much intelligence, and such luminous views? These persons, intermixed freely with the native whites, in all the social relations of life, had not to complain of an injurious distinction, and that complete equality was attended with the happiest results. Among our neighbours, in the rest of Europe, such is



pretty much the custom; the clamours of a few colonists and old creole ladies find no echoes from the voice of reason.

By founding the colony of Sierra-Leone, English philanthropists have realized the project to carry civilization into Africa. Travellers from England succeed each other without interruption, in order to traverse that region in every possible direction. The British ministry, following the impulse of the will of the nation, pursues the abolition of the slave-trade with a perseverance which calumny has in vain attacked. The termination of this nefarious traffic is stipulated for in all treaties between England and the African chiefs, as also with Asiatic princes, among others, the Imam of Muscata. According to a convention with Radama, this king of the Oras has forbidden the slave-trade to his numerous subjects, and he sends the young natives of his dominions to the Mauritian isles and to England, in order that they may obtain the benefit of a good education.

In the British parliament, slavery and the questions relevant to it, will always be the object of serious discussion. Orators, not less distinguished by the brilliancy of their talent than by the solidity of their virtue, seconded from without the walls of the senate by the writings of men gifted with the same qualities, will continue to raise their voice in favour of justice and Christian charity, in behalf of Africans and their descendants. These accents, repeated by the periodical press, will at length resound through each hemisphere, and prove the knell of slavery.

The British Government, ever anxious to provide for the interests of the future, while attending to the claims of the present time, has in all its colonial possessions carefully paved the way for final emancipation, by well-concerted preparatory measures. Such, among others, is the suspension of labour on Sundays, the religious observance of the Lord's-day, the regulations of marriage between the slaves, the admission of their testimony in courts of law, the abolition of corporal punishment inflicted upon women, &c.\* The application of these measures to the islands of Santa-Lucia and Tobago, &c., has been attended with complete success. At Trinidad, on the contrary, the white colonists have resisted the wisdom of government, and remonstrated in the most bitter terms, especially against the abolition of the whip, the use of which forms, according to them, an inherent principle in the due regulation of slavery. But it is a remarkable fact, that the free colonists, negroes and coloured men, have in a great proportion refused to sign the memorial transmitted by the whites.

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\* See the 'Second Report of the Committee of the Society for the Mitigation and Gradual Abolition of Slavery.' In 8vo., London, 1825, p. 1. and the following.—Also, 'The Slave Colonies of Great Britain, or a Picture of Negro Slavery, drawn by the Colonists themselves.' In 8vo.; London, 1825, &c.

The existence of the Haytian republic will probably have a great influence on the destiny of the Africans of the New World. Opinions widely diverging from each other have manifested themselves upon the recognition of this republic by an act which is without a parallel in diplomatic records. To the motives and facts known to or guessed at by the public, which have provoked, accompanied and followed this event, have been joined predictions and conjectures which time alone can verify or refute. But, setting aside the chances of futurity, and passing over all that does not immediately hold to the matter before us, it cannot be denied, that the very existence and recognition of a powerful and well organized negro state does fill up the chasm which prejudice had created between men of different complexions, and asserts the ability of Africans to deserve and to value freedom.

A black empire in the midst of the Atlantic, is a pharos shining forth a beacon to the oppressed, an ominous hearth-fire to the oppressors. Hope, languid from long-suffering, revives to warm the bosoms of five millions of slaves dispersed throughout the continent of America and the Antilles.

A general impulse has been given to the New World. Rights, duties, free constitutions, national representations, are things the human mind, in every station, now learns to grasp at and discern. Emblems of liberty are displayed before the eyes of the slave, songs of freedom are poured forth in his hearing. Will these seeds of thought and feeling not germinate to action? Will the electric spark of independence meet its affinity of deep desire, and not explode?

A strong disposition to attain all which the energy of mind and body can reach, is, above all, to be noticed among men of colour; the very circumstance of being of a mixed race being, as allowed by a naturalist, the cause of mental and physical vigour. The numbers and power of these men are daily increasing. In many countries, at Cuba, for instance, the pride and indolence of the Castilians having united to leave to the coloured race the exercise of various arts and trades, their natural aptitude has obtained for them that affluence which ever results from industry, which has become in their hands a powerful lever, by which to sway foreign commercial interests. Before real power, the distinctions of vanity fade into shadowy splendour. Decorations and titles, though of incalculable value, when awarded to public virtue by a national jury, when bestowed by caprice and favour, weigh little against any of the solid benefits of life. Experience prepares the triumph of the axiom which asserts, that *each man is the son of his own works*. The nobility of the skin will share the fate of parchment nobility, that exclusive pride of genealogy which cowered in the shade of the dark ages. Freed negroes and men of colour feel now a confidence in their own powers, and when the sources of instruction are opened to them shrink not from any concurrence. Already their names figure in a full and honourable list of lawyers, professors, civilians,

authors, physicians, and even priests, whose sacred calling raises them still higher in the consideration of all colours.\* Hence the progress of events, example, custom and pecuniary interest, all tend to place the African, the Indian, the European, and the Creole, upon the same moral and political level.

In former times, the force of opinion, aided by laws and regulations, established different casts in society; the most exalted rose above the law. That engine of despotism is worn out; such laws and decrees are either now revoked, or have fallen into contempt and disuse.

The Old World gravitates also, though but slowly, towards liberty. A crowd of emigrants, stimulated by commercial views, or irritated by persecution, carry to America their activity and their talents, and ask of her, in return, toleration, freedom, and an equal distribution of justice. Among these detached branches from so many different nations, the conjugal tie will establish an intimate connection. The licentious habits which former colonists had indulged in with their slaves, will be looked on with contempt; while the diffusion of knowledge bestows intellectual liberty, industry will lead to civil freedom, and the holy ceremony of marriage, by rendering morals more pure, will give permanence to security.

It is evident that this revolution in morals will be the immediate result of a political revolution. All prejudices concerning colour and interest will melt into the mass of wisdom, acting by experience for the happiness of mankind.

Such are the motives which, joined to a sense of justice, have prompted the decision of four republics, Columbia, Mexico, La Plata, and Guatimala, to abolish the slave-trade; while in Europe, nations calling themselves Christian states, with satanic duplicity, aid the followers of Mahomet to trample under their feet the worshippers of the cross of Jesus, the republics of America associate themselves by heart and by deed with the sacred cause of the Greeks. Is it to be credited that they will not recognize the rights of African tribes to become co-proprietors of the soil to which they have been transplanted, and which is cultivated by their toil? Eight hundred thousand slaves, in the English possessions, will not in vain invoke a liberating arm. But what will become of Brazil, with a form of government so foreign to the New World, and with a shameless stipulation, to continue the traffic in human blood for *four years more*, while her population contains already nineteen hundred thousand slaves? What will be the conduct of the United States, within whose dominions more than sixteen hundred thousand Africans are still in slavery? How will they be able, as republicans, to reconcile

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\* See 'De la Littérature des Nègres, &c. in 8vo., Paris, 1808; and an interesting work in Portuguese, recently published, 'Discurso, Historico Refutario Politico,' &c. in 8vo., Rio de Janeiro, 1825. The anonymous author, who calls himself 'Voyageur aux pays Coloniaux,' is a priest and man of colour, Father Leonardo.

this contradiction to their avowed principles, and as Christians, to justify this profanation of the precepts of the Gospel?

It is now thirty-five years since I wrote thus to the children of Africa in our colonies: 'There will come a time when the day-spring from on high shall visit only freemen of your race, and the light of heaven shall no longer fall upon slaves and upon fetters.'\*

The ill-will which inflamed the colonists led them to treat as persecution what was merely foresight, a prediction inspired by hope, and relating to an indefinite period. Under that impression on their part, neither calumnies, libels, persecution, nor abuse, have been spared to avenge themselves upon the author. If the planters had not been struck by moral blindness, they would have perceived that establishments founded upon slavery, that is to say, having crime for their basis, could never possess the inherent principle of stability. We may discern in the present the image of the future. America has, ever since it became known to Europeans, been called the *New World*; this denomination is doubly suitable since the political metamorphosis which she has lately experienced.

Surely, we are not less the friends of the whites than of the blacks, when by intercession for the unhappy Africans, we conjure you to change fetters of iron for bonds of amity, and to bind to your interest, by acts of charity, those whom you now exasperate, to your peril, by tyranny and bloodshed. Beware, ye planters, who obstinately resist the warning voice, the helping hand; look forth at the danger that surrounds you;—a volcano beneath you. Lulled in a false security, you repose on the edge of a fiery crater, which yourselves have dug! Deem you that no vital spark of indomitable energy shall again light the torch of liberty to glare upon your ruin! Again shall a Spartacus, a Toussaint-Louverture, rise to reclaim, by the strong arm of force, the rights your shallow reason holds from him? Does the just retribution to which you are exposed present no terrors to your imagination? How deplorable is the blindness which persists to find only menace and provocation in advice dictated by religion, and inspired by those sentiments of charity, guided by prudence, which ought to direct the counsels and preside over the actions of all men!

I shall terminate this chapter by some reflections, addressed exclusively to minds of a pious cast; by others they would not be understood.

What is termed by the ignorant *chance*, does not exist in the system of creation. Incidents, apparently the most minute, are subordinate to the general plan of the universe, and have their use as well as their cause and effect. Those persons are surely much to be pitied, who look upon the moving picture of the events of this world merely as a succession of circumstances, which produce and

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\* See 'Lettre aux citoyens de couleur et Negres libres,' in 8vo, Paris, 1791, p. 12.

spring out of each other, without a reference to that first cause by whom all is guided in that manner which fulfils His omniscient views. The Christian who meditates attentively upon those matters which are peculiar to his own destiny, and upon those which are the general portion of humanity, connects by faith all the links of the chain of events, and believes it to be attached to the pillars of Omnipotence. Such is the temper of mind by which we may, not indeed scrutinize the ways of Providence, but judge according to our limited powers, unbiassed by presumptuous theories.

The combinations which characterize the works of God in the physical as in the moral world, present a multitude of proofs of this profound and complicated arrangement. Fatal is the error of the politician who expects the prosperity of his country to spring from the ruins of another; the individual who expects the enjoyment of that wealth which is wrung from the tears of his fellow-creature. The immutable law of the Creator has decreed that all which is in itself iniquitous shall also prove to be impolitic, and that chastisement shall inevitably follow crime. The guilty man does not always meet in this world the punishment he has drawn upon himself; and why? Because, in the words of Saint Augustin, *God has eternity wherein to punish*. It is not thus with respect to nations, since, in their collective capacity, forming one body, they are not reserved for a future state; they have in this world their reward, as among the Romans, for some human virtues,\* or are punished as many nations have been, for national crimes by national calamities. The judgment seems to us to fall alike upon the innocent individuals as upon the guilty mass; but piety teaches us to believe, that Eternal Justice bestows in compensation blessings beyond the reach of our intelligence to conceive.

The calamities which the sins of the people call down upon countries, form a frequent topic in the discourses addressed from the pulpit by English divines.† It is not given to us to trace with precision the purport of these popular inflictions; but an assertion, supported by so many and such remarkable facts, may be looked upon to have attained moral certainty.

The slave-trade has been the foul and crying sin of several European nations throughout three centuries.

Who shall fix a limit to the expiatory scourge which many now groan under, and others in the two worlds may soon feel in their turn!

I shall perhaps be accused by worldly men, of speaking the language of fanaticism; be it so: such censure is a small evil which I have long since acquired the habit of meeting with resignation.

\* See Saint Augustin, 'de Civitate Dei,' i, 3.

† See 'Europe Chastised and Africa Avenged:' by Mr. Stephen. In 8vo. London, 1817; and the review of this work in the 'Chronique Religieuse.' In 8vo. Harris, 1819, T. iv. p. 121, and the following.

‡ See 'De la traite et de l'esclavage des Noirs et des Blancs,' par un ami des hommes de toutes les couleurs.' In 8vo. Paris, 1815, p. 36, and the following.

THEORETICAL AND PRACTICAL VIEW OF THE LAW OF LIBEL IN  
ENGLAND AND IN INDIA.

No. XIII.

*Practical View of the Law of Libel in England.*

THE case of Mr. Leslie, in 1805, is one of the most interesting and instructive which ever occurred. Some cases are aggravated by the enormity of the punishment ; some by the exaggerated importance ascribed to sallies of petulance or despicable ribaldry ; and some by the total want of foundation, or colourable excuse for the superstructure which, by the help of inadmissible hypothesis and violently distorted inferences, is reared upon the harmless words of the accused. Among these last, the case of Mr. Leslie stands pre-eminent. An unfounded charge of *Atheism* was brought against him, in words so blundering, that, according to the most rational construction that could be given to them, they implied atheistic principles in his accusers, and it was then attempted first to prevent his election to the mathematical chair, in the University of Edinburgh, and afterwards to procure his deprivation and expulsion.

On the death of Dr. John Robison, Professor of Natural Philosophy, January 30, 1805, and the succession of Dr. Playfair to that Professorship, the Professorship of Mathematics became vacant, the patronage being with the Town Council. One of the ministers of Edinburgh, Mr. Macknight, became a candidate, on the condition that he should not be required to relinquish his office in the church. The union of duties and studies so dissimilar, as to be incompatible with eminence, or even usefulness in either department, alarmed those Professors who were most anxious to preserve, as they had most contributed to uphold and increase, the honour and reputation of the University ; and their opposition to the election of Mr. Macknight, or any other clerical pluralist, was rendered successful by the appearance among the candidates of Mr. Leslie, whose proofs and testimonials of scientific acquirements were incomparably superior to those which could be produced by his competitors. To defeat the election of Mr. Leslie, was, therefore, the most urgent consideration with that part of the 'moderate' clergy, who wished to oblige their friend, Mr. Macknight, and to establish a convenient precedent for the interests of their body. For this purpose they fastened on the following note, on a passage in the text of his 'Experimental Inquiry into the Nature and Propagation of Heat,' viz.:

... Mr. Hume is the first, as far as I know, who has treated of causation in a truly philosophic manner. His "Essay on Necessary Connection" seems a model of clear and accurate reasoning. But it was only wanted

to dispel the cloud of mystery which had so long darkened that important subject. The unsophisticated sentiments of mankind are in perfect unison with the deductions of logic, and imply nothing more at bottom, in the relation of cause and effect, than a *constant and valuable sequence*. This will distinctly appear from a critical examination of language, that great and durable monument of human thought,' &c.—Note xvi. p. 521.

In the above passage, and in others by which it is surrounded, it is manifest that Mr. Leslie merely denied the agency of invisible ethers, or other *intermedia*, in the production of physical phenomena; a supposition to which (though it is as unsatisfactory as the elephant and tortoise theory of the world) Atheists have often had recourse. Mr. Leslie, however, having been informed of the proceedings of the ministers, addressed a letter to the Rev. Dr. Hunter, Professor of Divinity, in which he not only explained the meaning of the controverted passage, but disavowed the objectional inferences which had been drawn from it. This letter was laid before the Reverend Presbytery, but, as almost invariably happens, where the accusers are judges, they considered it an *aggravation* of the original offence! They prepared a remonstrance and protest to be laid before the magistrates, in which they suppressed all mention of the letter to Dr. Hunter, and in which, after quoting the note, they proceed:

'From which words, it is evident that Mr. Leslie, having, along with Mr. Hume, *denied all such necessary connection between cause and effect, as implies an operating principle in the cause*, has, of course, laid a foundation for rejecting all the argument that is derived from the works of God, to prove either his being or attributes,' &c.

Their right to present this protest against the validity of an election 'in the face of their remonstrance,' was grounded on a clause of the charter of James IV., by which the patronage of the University, vested in the Town Council, was to be exercised '*with the advice of their ministers*, (cum avisamento tamen eorum ministrorum;)' a clause which implied no *invalidity* in elections made without or against their advice. In this paper they also expressed their 'willingness to receive and attend to any *explanation* of Mr. Leslie's principles that may in this case be offered:' though it appeared from their rejection of his letter, and from subsequent declarations, that no explanation could reconcile them to the passage, which they insisted must be 'withdrawn.'

Their charge against Mr. Leslie was, that 'he denies all such necessary connection between cause and effect as implies an operating principle in the cause.' Upon which Mr. Dugald Stewart observed, 'In what sense, then, are we to understand the word *cause* in the conclusion of the sentence? and to what species of cause is the *operating principle* to be ascribed? It cannot, I should think, be to the Supreme Being; for the connection is stated to be *necessary*, and as such, independent of his will.' 'The only supposition, then, that remains, is, that the operating principle is to be understood to belong

to the physical cause itself, connecting it *necessarily* with the effect, or, in other words, that physical and efficient causes are one and the same; which amounted exactly to Spinoza's modification of Atheism. Both these constructions, however, attributed more meaning to the proposition than it possessed, for, by substituting the synonymes warranted by their explanations of it, Dr. Thomas Brown reduced their charge to an imputation of Atheism, because Mr. Leslie *denies such efficiency of efficient causes as implies efficiency in efficient causes.*

Dr. Brown subjected their proposition to a variety of tests suggested by their own apologies, and by the principles of the science of which he was so great a master, and found that, under every form it could be made to assume, either it was nonsense or Atheism, or not far removed from it.

The Town Council elected Mr. Leslie to the vacant professorship in the end of March. In April and May the Presbytery met, and agreed by a small majority to refer the whole matter to the Synod of Lothian and Tweeddale; and the Synod agreed to refer it to the General Assembly. At each step information was transmitted to Mr. Leslie, that further proceedings should be stayed *'in the event of his consenting to withdraw the offensive part of his publication, either by cancelling the leaves of the book which contain the note referred to, or by any other means equally effectual that may be agreeable to himself.'* But Mr. Leslie was careful not to acknowledge their jurisdiction, or a consciousness of doubt as to his own innocence, by making any reply to their absurd but persecuting communications. At each step, too, the minority, headed by Sir H. M. Wellwood and Dr. Hunter, entered their dissent, and *'took instruments.'*

In the meantime, the moderate prosecutors of Mr. Leslie sent out two appeals, one to the world, which appeared in the *'Courant'* newspaper of May 2d, the other to their friends, and clandestinely circulated amongst them. In the first, they displayed not only gross ignorance of the doctrines of Locke, Hume, Reid, &c., but an unblushing want of candour and good faith in criticising Mr. Leslie's note, and re-inforcing their objections to it. Yet, in the course of this manifesto, they say, *'There is not in the passage here quoted, (Mr. Leslie's note,) a single ambiguous expression, and they may be allowed to have some degree of confidence in their own judgment, for comprehending the obvious import or meaning of words.'* In the memorial sent to various members of the approaching General Assembly, the two following passages are most remarkable: *'As a disciple of Mr. Hume, he (Mr. Leslie) has taken higher ground than was ever ventured on by his master.'* *'And looking to the publication of this doctrine in connection with the circumstances of the times, when there appears an infidel party arraying itself with increasing confidence against the religion of the country, they cannot but consider the appointment of Mr. Leslie to be a professor and*



a teacher of youth as a measure of very unfriendly aspect to the Christian faith, and our Church establishment for its support.' And 'in the mean time they are disposed, if they shall err, to take their chance of *erring on the side of lenity and forbearance*, rather than on that of severity and rigour : and upon this principle they have resolved, that if Mr. Leslie shall consent to withdraw what is offensive in his publication, either by cancelling, &c., they will in that event cease their proceedings, as far as concerns him individually, and content themselves with following out the necessary measures against the Town Council, for establishing their right of *avisamentum* in future cases.' So that if Mr. Leslie had consented to withdraw the passage, they would have been satisfied with that ambiguous *optes operatum*, and without further evidence of the soundness of his principles, would have admitted him to be an unexceptionable professor and teacher of youth.

When the case was heard and debated in the General Assembly, on the 22d and 23d of May 1805, the question was, whether to *sustain* the complaint of the dissenting minority of the Synod, and consequently reject the reference, or to *dismiss* the complaint, which would lead to the reception of the reference. The numbers were as follows : Sustain, 96—Dismiss, 84—Majority for sustaining the complaint, 12.

Sir H. M. Wellwood appeared at the bar, and took instruments, and craved an extract of the decision.

Upon the vote being announced, a shout of applause resounded from the galleries ; in consequence of which, an order was instantly issued that strangers in future should not be admitted without tickets.

It appears, then, that in an assembly of 180, no fewer than 84, or seven-fifteenths, were for persevering in these erroneous or unjust proceedings ; and that the Church of Scotland narrowly escaped being involved in a transaction which would have impressed on it a deep stain of cruelty and reproach.

In 1806, Lieutenant-Colonel Edward Alured Draper was tried on an information, for having written and published a pamphlet, entitled, "An address to the British Public on the Case of Brigadier-General Picton, late Governor and Captain General of the Island of Trinidad, with observations on the conduct of William Fullarton, Esq., F.R.S., and the Right Hon. John Sullivan." The charge against Mr. Sullivan was, that he had sent out private instructions to Colonel Fullarton to investigate the conduct of Governor Picton, with a view to his removal from his government. Dr. Lynch made affidavit, that Mr. Sullivan had, in conversation with him, made a declaration to that effect ; and Mr. Sullivan denied it in a counter-affidavit. The Duke of York, and several noblemen and gentlemen bore testimony to the character of Colonel Draper, and said that they believed

him to be utterly incapable of publishing any thing he believed to be untrue. Colonel Draper was found guilty, and sentenced to pay a fine of 100*l.*, to be imprisoned in the Marshalsea for three months, and to give security for his good behaviour for two years in 1808*l.* Before the trial, Colonel Draper addressed a letter to Mr. Sullivan, containing an avowal of his being the author of the anonymous pamphlet, and also the following passage, applicable to all cases of libel:

'Sure, Sir, it is not presumptuous to beg of you to reflect most seriously, that the question between you and me cannot be decided by *mere law*; and be assured and satisfied, whatever your lawyers may tell you to the contrary, that the decision of the Court of King's Bench, on any libellous matter (legally so called) contained in my charges against you, will no more exonerate you in the eyes of your country, and the opinion of all considerate men, from the irreparable disgrace and infamy attached to your concealment of the author of your private instructions to your friend, Mr. Fullarton, than any hostile decision against me can injure or prejudice me in the opinion of my sovereign, or of one honourable man in England.'

Colonel Draper allowed judgment to go by default, on an indictment for a libel (in the same publication) on William Fullarton, deceased. Colonel Fullarton had attacked Colonel Draper in a quarto pamphlet, with very violent and insulting language. After hearing a variety of affidavits on both sides, and much debate, Lord Ellenborough said:

'The time is now arrived when it is material for the Court to state, that they think the purposes of justice will be best answered (and one of the most beneficial purposes of justice is, to prevent any further irritation or injury,) *by suffering the case to remain where it is.*'

Accordingly, Colonel Draper entered into recognizances to come up, if called upon by the Court, to receive judgment, and in the mean time to be of good behaviour.

In 1808, John Harriot Hart and Henry White, the printer and proprietor of the *Independent Whig* newspaper, were tried for libels upon the administration of public justice in England, upon the trial by jury, upon the Hon. Sir Simon Le Blanc, Knight, one of the Judges of his Majesty's Court of King Bench, and upon the jurors by whom Thomas Bennett and William Chapman had, at their respective trials for murder, been acquitted.

Thomas Bennet, master of a merchant vessel, had been tried, on the 18th December, 1807, for the murder of a boy named William Rickman. The most cruel treatment, with deprivation of food and clothing, were proved against Bennett; and on the other side there was no evidence, but the opinion of certain medical gentlemen, who had, indeed, been called on the part of the prosecution, who had never seen the boy, that his death was not caused by ill treatment, but by a mal-conformation of the heart. William Chapman, master of a slave-ship, was tried in January 1808, for the murder of Robert

Dunn.\* Acts of great cruelty were also proved in this case, but there was more exculpatory evidence,—a spirit of revenge and insubordination on the part of the crew, and especially of the surgeon of the ship, who had himself suffered corporal punishment. The Attorney-General opened his speech with the usual postulate :

*‘ If an opinion can be disseminated in the minds of men, and they can be brought to think, (not by the acts of those concerned in the administration of justice, but by false and erroneous statements respecting what has been transacted in open courts of justice,) that the laws are corruptly administered by the Court, and that improper directions are given by the Jury, whose duty it is to return their verdict on the facts before them, it is obvious that the consequence must be, that the laws will be despised and contemned, will be daily violated.’*

Mr. Adolphus made an able speech for the defendants; and while he was stating the facts which had been proved on the trials, whence the merits of the verdicts might be enforced, he was interrupted.

‘ Mr. Justice GROSE.—How can this be proved? We should be subverting the very foundation of the law, if we were to suffer the evidence upon the trial to which you are referring to be repeated. And as these facts cannot be inquired into, they consequently cannot be stated. The verdicts on those trials remain for ever as they were pronounced, and the propriety and justice of them cannot be tried incidentally.

‘ Mr. ADOLPHUS.—The Attorney-General took a review of them in his opening speech. I am speaking of what appears on the publication of these trials, in order to show that the animadversions of the defendants were proper. The account of the trial, from which I state the facts, is taken by the licensed reporter of the Old Bailey.

‘ Mr. Justice GROSE.—That might be an argument in mitigation of punishment, if it were well-founded; but I cannot hear it stated in this way, because you are here to argue merely that the defendants have not been guilty of a libel.

‘ Mr. ADOLPHUS.—The Attorney-General has said, that these papers were published with certain guilty intentions. I take it that it is necessary to mention the evidence which operates against that conclusion.

‘ Mr. Justice GROSE.—The Attorney-General merely stated so much of the trials as was necessary to make the whole of the case intelligible to the jury.

‘ Mr. ADOLPHUS.—What I have stated is only to make the defence intelligible.

‘ Mr. Justice GROSE.—But what you have stated you cannot prove. It is impossible that you can prove it.

‘ Mr. ATTORNEY-GENERAL.—I have no objection to the learned Gentleman stating whatever he pleases. I do not wish to cramp him in his defence. Perhaps it will be more for the advantage and interest of the public, that he should proceed as his own discretion directs.’ †

\* An account of this case will be found in the New Annual Register for 1808—Principal Occurrences, p. 13.

† State Trials, vol. xx. p. 1173.

Mr. Adolphus was then permitted to proceed. If the Judge had adhered to his original determination, what topics of defence would have been left to Mr. Adolphus? and would not the Jury have received erroneous impressions of the cases of Bennett and Chapman, from the partial outlines of them given by the Attorney-General? In his reply, the Attorney-General said :

‘ My learned friend has stated that which is wholly unfounded ; he has stated that this information does not allege that the charges contained in the libels against Sir Simon Le Blanc are false, and that therefore he is entitled to assume that they are true. That is not so—it need not be alleged that they are false ; not because they are not false, but because the truth or falsehood of them is not material. It was not therefore to be assumed that they were true. God forbid I should ever bring a case before you which any counsel should be able to state was not true. The fact is indifferent : these are libels, and gross libels ; and the defendants are brought to trial before you for having published them.’

If the fact is ‘ not material,’ if it is ‘ indifferent,’ why was the Attorney-General so anxious to dispute Mr. Adolphus’s assumption, that the statements in the libel were true? What security had the jury that he should never bring cases of true statements, charged as libels, before them, when it depended on himself and the Judge what latitude should be permitted to the counsel for the defence, in his statement of the facts?

The Jury retired for about twenty minutes, and brought in a verdict of *Guilty*.

Nine days afterwards the same defendants were tried for certain libels on the conduct of Lord Ellenborough, while presiding at the trial of an action for damages, brought by Thomas Boyce against Thomas Gabriel Bayliffe, captain of an East Indiaman. The plaintiff, Boyce, had kept a tavern in the East Indies, and was returning to England with his daughter, a child of eight years of age. During the first part of the voyage he had been permitted to take his recreation on the poop with the other passengers ; but, on a sudden, without any cause assigned, the captain drove him from it, and would not permit him to return to it. Soon after, two strange ships appeared, who were supposed to be enemies, and on Boyce’s refusing to go to the poop, though he professed his willingness to give his assistance in any other situation, the captain said, ‘ Here, take this d—d rascal, and put him in irons !’ and he was put in irons on the poop. On arrival of the ship at St. Helena, he left her, and came to England in another. For these injuries the Jury awarded 80*l.* damages. The inadequacy of these damages was contrasted with the amount, 700*l.*, obtained by Mr. Thomas Aris, Governor of Cold Bath Fields-prison, against William Dickie, for having falsely asserted in conversation, that Aris had murdered two of his prisoners. The consequence was, that Dickie, formerly a stationer in the Strand, had been already detained five years in the Fleet-prison, and was still confined without

any prospect of release,—such cases not coming within the scope of insolvent acts.

The Attorney-General said : ‘ Can you hope that the duties of juries will be performed with courage and firmness, if they are exposed to attacks of this sort ? ’ Why not ? What effect should the most severe animadversions on the conduct of juries produce, but to make them more anxiously careful in the discharge of their duty ?

The Attorney-General’s speech contained repeated admissions, that the libels, whose evil tendency he exaggerated in the usual strain, must yet be perfectly harmless, in consequence of the high character of the Judges for learning and integrity, and the good disposition of the people. Thus : ‘ What indignation would they (the jury) not feel, if this Court was filled by Judges *less* high in the public estimation than the present ? ’ As if he had said : ‘ What indignation would you not feel, if this philippic had been justly applicable to its object,—if this censure had been merited,—if these invectives had been directed against Judges, who, like some of their predecessors, had betrayed their trust, who were a disgrace to their solemn function, and an oppression to the country ! ’ Again—

‘ Certainly nothing could be more likely on bad minds to have the effect of driving them to acts of violence, &c. ; but it pleases me to think, that, with all the external dangers that surround this country, we have nothing internal to dread. *There are no spirits in this country such as the author supposes to exist, or such as he wishes to inflame ; but whether hereafter there may or may not exist such spirits,*’ &c. ‘ The direct object of this paper is, to persuade a mob, *if any such existed in this country,* to tear Lord Ellenborough by force from the seat of justice, and destroy him.’ [This “direct object” is collected chiefly from the following sentence : “ My only hope would be, if ever such a wretch should stain the mercy-seat of England, or pollute the sacred fountain of our holy laws, that he should quickly meet the fate of Jeffries, or be torn in pieces on the bench ; ” which is no more than the imprecation—

“ May every Villiers feel  
The keen, deep-searching of a Felton’s steel ! ”]

I think, gentlemen, it would have been difficult for the ingenuity of man to have devised any thing more mischievous or malignant, or better contrived, *if the materials to be worked upon were to be found in this country,* to produce the object this writer had in view by these publications.

At the conclusion of a very long and able speech for the defendants, by Mr. Clifford, several persons in the hall expressed their approbation of it by loud plaudits ; upon which the Attorney-General observed :

‘ I never before witnessed an act of such indecency and impropriety as has been exhibited in the body of this Court this day at the conclusion of the learned gentleman’s speech. I must suppose it can only have proceeded from some extraordinary means used to procure such an expression of popular feeling.’

Mr. Justice Grose did not think the jury could require him to make any comments on such gross, scandalous, and abominable libels. If they did not at once strike them as in the highest degree slanderous, it would be impossible any thing he could say would convince them. The *Foreman of the Jury* said: 'I should hardly think it necessary to give your Lordship the trouble (to proceed;)' and the jury, after consulting together a few minutes, returned a verdict of *Guilty*.

The defendants being brought up for judgment, June 2, 1808, affidavits were read on their behalf, stating, that neither of them was the author of any of the libels of which they had been found guilty, but that they were requested by the authors themselves to give them up as such, they not desiring the defendants should suffer on their account. It was accordingly declared, that Mr. John Gale Jones, apothecary, was the author of the letter signed 'JUNIUS;' that William Augustus Miles, Esq., was the author of another of the libels; and that the author of the letter signed 'HUMANITAS,' was unknown to the defendants. Mr. Holroyd and Mr. Clifford were heard in mitigation of punishment; the Attorney-General, Mr. Park, and Mr. Abbott, on the other side. It appeared that Mr. White's health of body, and perhaps of mind, had been impaired by a lengthened residence in Africa, and other foreign climates; and, on the other hand, that ever since the conviction, 'libels as strong as those which were the subject of prosecution,' had appeared in the 'Independent Whig.' The Court sentenced Hart to be imprisoned THREE years in Gloucester jail; and White to be imprisoned THREE years in Dorchester jail; and each to give security for his good behaviour for five years in 1000*l*.

In the administration of any other branch of the criminal law, is there an instance of a man coming into a court of justice, and *with impunity*, avowing himself principal in the same crime for which his associates are sentenced to three years imprisonment? Mr. Wakefield was sentenced to two years imprisonment, and one of his publishers to a fine of thirty marks. Here the publishers are sentenced to a long imprisonment, in distant jails, and the known authors go free! Such is the endless and treacherous inconsistency of the law of libel.

The legality of these sentences was argued before the House of Lords, on a writ of error, May 16 and 18, 1809. Mr. Clifford contended, that the Court of King's Bench could not commit offenders to any prison in England, but only to its immediate prisons, or to the prisons of the county in which the offence was committed, or in which the Court was sitting. On the subject of imprisonment, 'and he shall have given such security as aforesaid,' Mr. Clifford said:

Your Lordships will observe, that the sentence is for the publication of what is said to be a libel, and a libel upon a court of justice, but the

information does not state whether what was advanced be true or false ! Is it as a security for good behaviour in every case ? Would the security be forfeited by writing a true and faithful account of, and making true and just observations on, the conduct of the courts of justice ? No one can tell whether the information proceeds on the ground of every thing advanced being true, or every thing advanced being false. The parties will necessarily be bewildered if any persons, in such a state of uncertainty, should be bold enough to come forward as their securities. Or are the parties to give up their newspapers, or never write a line respecting courts of justice, because, if either true or false, they may be called upon for their security, if it cannot be exactly stated what will amount to a forfeiture of the recognizance. I humbly contend that, even in this view of the case, this part of the sentence is illegal, unconstitutional, and void. In another point of view, my Lords, this part of the sentence is equally liable to uncertainty and doubt. Suppose that they cannot get the security required, are they to undergo five years' imprisonment in addition, and then to be liberated ? No such thing. As the sentence stands at present, they may be imprisoned to the end of their lives, and in places far distant from their families, their friends, and their connections ! Such a judgment, my Lords, is, I contend, unusual, oppressive, contrary to the bill of rights, and therefore contrary to law !

In reply to this part of Mr. Clifford's speech, the Attorney-General said :

' I dare say, if the learned gentleman's clients were to ask him whether such and such a particular *act* would not incur a forfeiture, that his answer would be, " I will [qu. CAN ?] not tell any man, who contemplates a seditious publication, or meditates any other illegal act, how far he may go, and yet evade the law ; how near the wind he might sail, without endangering himself "'

On the same topic, the Solicitor-General (Sir Thomas Plumer) said :

' It was absurd to talk of its operating as a perpetual imprisonment. *The prolongation of imprisonment would depend on the bad character of the individual whose friends could not trust to his good behaviour, even after the experience that had been taught him by his confinement.*

The judgment of the Court of King's Bench was unanimously confirmed.

See a debate in the House of Commons, March 27th, 1809, upon a petition from Messrs. Hart and White respecting their trials, convictions and sentences ; and the manner in which the sentence of imprisonment was executed. This petition was withdrawn, on account of an informality, which was afterwards rectified, and the petition was presented, read, and ordered to lie upon the table, in April 24th, in the same year.

In 1810, (February 24th,) John Lambert and James Perry, the printer and the editor of the 'Morning Chronicle,' were tried for a libel on the king, contained in the following two sentences, *published* from the 'Examiner' :

'What a crowd of blessings rush upon one's mind, that might be bestowed upon the country, in the event of a total change of system! Of all monarchs, indeed, since the revolution, the successor of George III. will have the finest opportunity of becoming nobly popular.'

The Attorney-General, (*Sir Vicary Gibbs*, who has immortalized himself by his unwearied persecution of the press,) said :

'Nobody who sees such language held, can doubt that it must have a manifest tendency to alienate and destroy the affections of the people towards their sovereign, and to break down that link of love which ought to connect the sovereign and his people in the tenderest ties. That such is the tendency of the publication in question, no person who reads it can deny.'

Yet even Lord Ellenborough doubted! and being almost persuaded, by Mr. Perry's excellent speech, that the passage taken with its context, imputed nothing but 'honest error' to the king, gave such a charge to the special jury, that they immediately pronounced the defendants NOT GUILTY.

CHANSON DU GIESBACH.

*To a Swiss Air.*

O'er the crystal water,  
By the mountain side,  
Helvetia's fairest daughter  
Smooth our bark does guide :  
The Giesbach fall, with silver spray,  
Rushing down his rocky way,  
Music makes,  
Through the brakes,  
Responsive to our lay.

Courts have ne'er afforded  
Pleasures pure as these ;  
Not countless riches hoarded  
Can buy the mountain breeze ;  
No ! not the might a despot wields  
Commands the joy which Nature yields,  
Hills among,  
Streams along,  
Or through the flow'ry fields.

B. G. B.



## ROSSETTI'S ELUCIDATION OF THE MYSTERIES OF DANTE.

## No. II.

HAVING already examined the introductory portions of Mr. Rossetti's 'Commentary on the Vision of Dante,' we proceed to an analysis of the eleven cantos which are contained in the first volume of this critical and ingenious author's production.

CANTO I.—*The Obscure Wood*.—Dante, after having spoken of the obscure wood in which he had been bewildered, and the remembrance of which renews his dismay, adds :

Ma per trattar del ben ch'ivi trovai,  
Dirò dell' altre cose ch'io v' ho scorte.

*Il ben ch'ivi trovo* (the good that befel him.) Laudino says that this good was the knowledge of the obscurity of the wood; Lombardi, the celestial aid; and Biagioli, the means of getting out of it; but, according to our new commentator, it was Virgil, that is, political philosophy; that Virgil to whom Dante said he had given himself for the sake of his safety: *Virgilio a cui per mia salute almai.*

Ripresi via per la piaggia deserta,  
Sì che il piè fermo sempre era 'l più basso.

'The firm foot was always the lowest,' according to Rossetti, evidently signifies that Dante, in all his actions, whether virtuous by resolution, or vicious by habit, suffered the vicious to prevail; so that he felt more inclined to remain in the valley of vice, than to ascend the mountain of virtue. Those who have supposed that Dante, by saying that the foot on which he stood was always the lowest, meant that he was ascending, have erred; for it is not true that the standing foot, in ascending, is always the lowest, so that the allegory alone can explain this passage, which Laudino has interpreted nearly in the same way as our commentator. Of the same kind is that in which the poet, speaking of the apparition of Virgil to him, says, that his voice seemed faint through long silence; to which passage is given the following explanation: 'This natural image contains a moral signification; that is to say, that the political philosophy, which had been long silent in Dante's mind, on account of his having been one of the Guelphs, spoke to him in a faint voice, when he began to incline to the Ghibelline party.'

CANTO II.—*Continuation of the Obscure Wood.*

.....Io sol uno  
M' apparecchiava a sostener la guerra,  
Sì del cammino e sì della pietade  
Che ritrarv' la mente che non erra.  
O Muse, o ato ingegno, or m'aiutate:  
O mente che scrivesti ciò ch'io vidi,  
Qui si parrà la tua nobilitate.

\* See the 'Oriental Herald,' No. XLII. p. 517.

We have here *the mind that does not err*; and *the mind that wrote what Dante had seen*. The first signifies *the intellectual power*, and the second *the memory*. Thus it is understood by M. Rossetti, and we agree with him in this opinion, in spite of M. Biagioli and others, who say that both signify the same thing, that is to say, the power of recollection. *O Muse, o alto ingegno*, &c. 'Lombardi,' says Biagioli, 'believes that the poet invokes his own genius: I,' he adds, 'that virtue, so called, which generally lies in man, and which the Latins called *natura*, because it constitutes human nature, which produces the things that belong to her.' But we agree with Lombardi, with whose interpretation that of our commentator corresponds, when he says that, 'by *alto ingegno*, is to be understood the poetical genius, which is properly placed with the muses.' And if any one should be inclined to blame Dante for that epithet, *alto*, we might remind him of what Horace said: *Est Deus in nobis: agitate colescimus illo*.

Non vedi tu la morte che 'l combatte  
Sulla fiumana ove 'l mar non ha vanto?

Lanfranco and Vellutello say, that *la fiumana* (the river) signifies, allegorically, the impetuous torrent of passions; and M. Biagioli, who has adopted their interpretation, adds, that there is no way of explaining this passage in a literal sense, because there is no infernal river in this place. M. Rossetti is of a different opinion: 'The river,' says he, 'that pays no tribute to the sea, is Acheron, which, according to the mythologists followed by Dante, does not fall into the sea, but makes its way through the entrails of the earth towards the centre.' And he adds, that *sulla fiumana* may signify *near the river*, and may be understood at a few miles from it, as Dante, in another place, speaking of Ravenna, calls it *the town which lies upon the sea*, although it be three miles off from it. *Siede la Terra dove nata io fui sulla marina*.

CANTO III.—*Gate of Hell, Vestibule, Acheron*.—Dante, speaking of the souls of those who lived without either praise or blame, says, that they are mixed with that band of angels who did not prove rebellious, nor yet were true to God, but were only interested for themselves; and adds, that heaven drove them forth that they might not impair its lustre; while the depth of hell did not receive them, because, *i rei avrebber d'elli alcuna gloria*. The pronoun *alcuna* has given rise to disputes among the interpreters, some of whom have pretended that it signifies *some*, and others *none*. The illustrious Monti is at the head of the last, and is the only one whose authority might be of some weight. He had endeavoured to prove in his work, entitled *La Proposta*, that *alcuna gloria*, in this place, signifies *no glory*; and Biagioli had praised and adopted his interpretation. Our commentator, being of a different opinion, has refuted, in a kind but triumphant manner, the opinion of the learned author of *La*

*Oriental Herald*, Vol. 14.

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*Proposta*, who, in an additional volume to that work, has since acknowledged his error. In fact, as in this passage the angels who took no part in the battle between God and Lucifer are evidently spoken of, to say that they were excluded by those who participated in it, from the place to which these latter were doomed, not to be disgraced by their company, is an absurdity of the first magnitude, as the damned souls can have no choice to receive amongst them, or to reject any other soul, whose situation depends only upon the will of God.

We pass onward to a passage which no commentator known to us has ever appeared rightly to understand, and we are sorry to add that M. Rossetti, having adopted the interpretation of his predecessors, has fallen into the same error. The passage is the following, in which the poet, speaking of Charon, who carries over the souls condemned to everlasting pains, says:

Caron dimonio con occhi di bragia,  
Loro accennando, tutte le raccoglie;  
Batte col remo qualunque s'adagia.

The following are the interpretations of the phrase, *s'adagia*, by some of the best modern commentators. *S'adagia*: ADAGIARSI, signifies here *to go slowly, at ease*. LOMBARDI.—*Adagiarsi* signifies *to walk softly*. BIAGIOLI.—He strikes with his oar those that *linger or stop*. ROSSETTI.—And Mr. Cary translates in the same sense:

‘And each that *lingers* with his oar he strikes.’

But it is to be observed, that the poet has said that Charon, beckoning, collects them all, and then he adds, *Batte col remo qualunque s'adagia*. It is clear, therefore, that he strikes them when they are in the boat, and not because they *go at ease*, not because they *go softly*, not because they stop, or because they linger, but because, after having entered into the boat, they sit themselves down, or recline to rest. That they are not slow, or that they do not stop before they enter, manifestly appears from what Virgil says to Dante:

E pronti sono al trapassar del rio,  
Chè la divina giustizia gli sprona  
Sì che la tema si volge in desio.

Which passage is thus translated by Mr. Cary:

‘And to o’erpass the river are not loth:  
For Heaven’s justice goads them on, that fear  
Is turn’d into desire.

And who can *linger, be slow, or stop*, under the spur of divine omnipotence?

CANTO IV.—*Limbo*.—The poet, having fallen asleep at the end of the preceding Canto, on the exterior bank of Acheron, now awakes, and finds himself on the other side. The reader, of course, feels a curiosity to know how this happened, and the interpreters endeavour

to account for it. Landino's allegorical confusion gives no satisfaction. Biagioli says that it happened by celestial aid, and this, to be sure, is the shortest way of getting out of all difficulties:

Ben è pietà, che la pietade e 'l zelo  
Uman cedendo, autor sen creda il cielo.

But the fact is, that this is one of the many passages where the allegory, and nothing else, can serve as a clue; and M. Rossetti, who has properly betaken himself to it, concludes with saying, 'that Virgil, or Political Philosophy, has led Dante to meditate upon the disorders of society.'

We pass over several things which might be observed in this ingenious comment, and proceed to a passage where Biagioli, who accuses the former commentators of having made *un bello scappuccio*, (a great blunder,) proves that he has made a very great one, while they were right:

Io vidi Elettra con molti compagni,  
Tra' quai conobbi ed Ettore ed Enea,  
Cesare armato con occhi grifagni.

'The poet,' says M. Biagioli, 'here gives us to understand, that the bright and black eyes of Cæsar were his arms,' with which he more than once repressed by a single glance the seditious legions: therefore, this is not an imagination, as M. Ginguené fancied; and those who thought that Dante represented that hero with cuirass, helmet, and sword, made *un bello scappuccio*.' We refer our readers to M. Rossetti's note on this passage, where they will find the reason why Cæsar is represented armed, and what Dante intended to signify by *occhi grifagni* (griffin eyes); they will be no doubt satisfied with the evidence, so pleasingly and forcibly adduced in this passage.

CANTO V.—*Carnal Sinners*.—There being no great difficulties in this canto, in regard to the literal or allegorical sense, we shall advert only to two passages, which merely concern the propriety of the language, and the grammar. In every edition of '*La Divina Commedia*,' we read the following passage, thus:

..... Più di mille  
Ombre mostrommi e nominolle a dito,

which has led the interpreters into an error, thinking that Dante had employed the strange phrase, *nominare a dito*. But M. Rossetti, by putting *e nominolle* in a parenthesis, has removed every difficulty:

..... Più di mille  
Ombre mostrommi (e nominolle) a dito.

To which passage we find the following note: 'I laughed heartily on seeing that a rigorous grammarian had puzzled his brains to show what *nominare a dito* signifies, without perceiving that *nominolle* is said by way of parenthesis, as I, for the first time, have

perceived, there remaining *mostrolle a dito*, (pointed at them,) which is proper and common to our language.—

..... Li prega  
Per quell' amor ch' ei mena e quei verranno.

M. Biagioli pretends that *ei* is the subject of the verb *mena*, which cannot be; because, when the person or the thing to which the action of the verb is attributed is expressed, the pronoun, which is only his or its representative, cannot be introduced. The most ignorant do not commit such a fault as this in any language. According to M. Biagioli, this passage is to be construed thus: *Entreat them by that love which HE bears them, and they will come.* Father Lombardi, the best of the modern commentators of the 'Divina Commedia,' is here reproved by his unjust and disrespectful antagonist; yet the former had properly interpreted this passage, by saying, *'Entreat them by that love which is the cause of their being borne along.'* M. Rossetti boldly affirms that *ei* is here the accusative case of the plural number; and we may add, in support of his assertion, that this is not the only place where Dante employs it in the same sense. So in *Inf. c. xviii*:

Così da imo della rocca scogli  
Movean che ricidean gli argini ei fossi  
Infino al ponte ch' ei troava e raccogli.

CANTO VI.—*The Gluttonous.*—We have seen that the poet passed from the one side to the other of Acheron while asleep; and now we find that, in a similar manner, he passes from the second to the third circle. We are told by our commentator that this serves to signify the affinity which exists between lasciviousness and gluttony. It may, perhaps, be added, that such sleep is a symbol of the sluggishness of the gluttonous and lustful, as they forget the dignity of that part of themselves which is descended from heaven, and

'Roll with pleasure in a sensual sty.'

There are passages in this canto which, if interpreted in a literal sense, will be found incongruous and absurd; but if we admit the allegory, they become luminous and important. The following is an example:

Cerberus, fiera crudele e diversa,  
Caninamente con tre gole latra  
Sovra la gente che quivi è sommersa,  
Gli occhi ha vermigli, e la barba unta ed atra,  
E il ventre largo, ed unghiate le mani,  
Grattava gli spiriti, ed inghiottiva ed inghiottiva.

Cerberus, according to M. Rossetti, is merely the type of gluttony: his *three throats* and *large belly* signify the avidity arising from the vice which he represents; his *barking over the immense multitude*, and his *crimson eyes*, signify the loquacity, the slander, the quarrels,

which arise from eating and drinking immoderately; his *grisly and suctuous beard* shows the filthiness of gluttons who so defile themselves; the *clawed hands* mark not only the fury with which they seize upon their food and drink, but also the torments which this vice inflicts upon its followers; the *tearing the spirits* seems to indicate the head-aches, and various other diseases which arise from that vice; the *swallowing down* denotes sudden death by apoplexy; the *tearing to pieces*, the agonizing death by the gout, stone, dropsy, &c. &c.

CANTO VII.—*The Avaricious and Prodigal.—The Wrathful and Gloomy.*

Pape Satan, pape Satan aleppe.

This verse has been interpreted in various ways, but never, we think, in its real sense, except by M. Rossetti, who has shown that by Lucifer is represented the head of the Guelphian party. In another passage of this canto, Virgil says to Pluto:

Vuolai così colà dove Michele  
Fe la vendetta del superbo strupo.

*Strupo* (stupro) was interpreted till lately as signifying an assault upon a virgin; but it is employed here to signify the haughty violence of Lucifer against God. M. Grassi, finding that in the Piedmontese dialect *strup* signifies *truppa* or *branco* (a multitude), has explained it by *superbo drappello* (proud band), and this interpretation obtained the approbation and applause of Cavalier Monti. Nor can we deny that this is a very plausible interpretation. M. Rossetti, however, maintains that the old way of understanding it is the best; and his arguments in support of this opinion are such as to prevent our passing sentence on the subject.

CANTO VIII.—*The Wrathful.*—‘Io dico sequitando,’ &c.—The beginning of this canto being a continuation of the preceding one, and the poet resuming his subject, says, *My theme pursuing, I relate, &c.*

This passage is thus commented on by Mr. Cary: ‘It is related by some of the early commentators, that the seven preceding cantos were found at Florence after our poet’s banishment, by some one who was searching his papers in that city; that by this person they were taken to Dino Frescobaldi, and that he, being much delighted with them, forwarded them to the Marchese Morello Malaspina, at whose entreaty the poem was resumed. This account, though very circumstantially related, is rendered improbable by the prophecy of Ciaceo in the sixth canto, which must have been written after the event to which it alludes. The manner in which this canto opens, furnishes no proof of the truth; for, as Maffei remarks in his *Osservazioni Letterarie*, tom. ii. p. 249, referred to by Lombardi, it might as well be affirmed that Ariosto was interrupted in his *Orlando*, because he began canto xvi. *Dico, la bella storia ripigliando*; and canto xxi., *Ma tornando al lavor che vario ordisco*. It is to be wondered

at that no one before M. Rossetti had discovered the real reason why this canto begins with *Io dico seguitando*, &c.

CANTO IX.—Continuation of the 5th Infernal Circle, and beginning of the 6th.

Pure a noi converrà vincer la punga,  
Cominciò ei; se non... tal ne s' offerse.—  
Oh quanto tarda a me ch' altri qui giunga!

After having read this passage fifty times, without understanding it otherwise than *per pelle talpe*, we were convinced that *se non* was not to be understood in the sense of *if not*, but that it meant *or else*; and that instead of *ne s' offerse* (was offered to us), it ought to be read *ne sofferse* (suffered for it). We were not at all satisfied with the common interpretation by which *ne s' offerse* is referred to some aid promised to Virgil, concerning which we find not a syllable in the poem; and we explained this passage thus: *Yet we shall overcome this difficulty, or else... such a one suffered for a similar resistance.—Oh! how I long to see the arrival of some one!* That is to say, 'We shall enter the city of Dis, or else these demons shall be punished for opposing themselves to us, as it happened to Cerberus, who opposed himself to Hercules.' And this interpretation, we think, is rendered evident and justified, by what is said towards the latter end of this canto, in these lines:

Che giova nelle fata dar di cozzo?  
Cerbero vostro, se ben vi ricorda,  
Ne porta ancor pelato il mento e 'l gozzo.

Which passage is thus translated by Mr. Cary:

What profit, at the fays to butt the horn?  
Your Cerberus, if ye remember, hence  
Bears still peel'd his hair, his throat, and maw.

And these words: '*Oh, how I long to see the arrival of some one,*' do not, indeed, relate to any supposed or dreamed-of promise, but to the angel whom Virgil had seen at the close of the preceding canto;

E già di quà da lei discende l' erta,  
Passando per li cherchi senza scorta,  
Tal che per lui ne fia la terra aperta.

That is to say—

Even now  
On this side of its entrance, down the steep,  
Passing the circles, unescorted, comes  
One whose strong might can open us this land.

CARY.

In another passage, Virgil says to Dante—

Vero è ch' altra fiata quaggiù fui,  
Congiurato da quella Eritton cruda  
Che richiamava l' ombre ai corpi sui.

If we say that here allusion is made to the incantation of the sor-

causes *Hericto*, mentioned in the sixth canto of *Lucan's Pharsalia*, we must confess that this is an evident anachronism; because *Virgil* was alive during the *Pharsalian* war, and lived for some time after it. *Lombardi's* supposition, that *Hericto* might have survived the battle of *Pharsalia*, and have employed her magical practices at the time of *Virgil's* decease, can afford no satisfaction; and *M. Rossetti's* liberal interpretation, that the Latin poet might have been sent to the infernal regions, during his life, by a temporary suspension of his vital functions, although ingenious, is not more persuasive. But when he explains this passage in the allegorical sense, then we willingly embrace his opinion, and are satisfied. Let us remember that *Virgil* is the symbol of the imperial policy, and that he represents the spirit of those who wished that the empire should repair the disorders of a corrupted republic. *Virgil* then, or the *Ghibelline* policy, predicted, by the death of *Pompey's* soldiers, the rise of the future imperial sovereignty, which the *Ghibellines* wished to see removed in the time of *Dante*.

Numerous, beautiful, and new, are the allegories of this canto, which spring forth from the system of our commentator; and whoever wishes to understand that part of the '*Inferno*' which is contained in this volume, and add strength to that light, without which he will not be able to go through the dark paths of what remains of the mysterious journey, must read with great attention all the notes here supplied by *M. Rossetti*. We will venture to say that, besides the advantage he will derive from them, he will be highly delighted by an abundance of rare and unexpected allegories, grounded upon historical and philosophical erudition; nor do we hesitate to assert that, this work upon the '*Divina Commedia*' is not only superior to whatever has hitherto appeared on the same poem, but that all others will appear nearly useless to those who wish to penetrate the mysteries of the Florentine bard.

CANTO.—*Heretics.*—

'Se tu mai nel dolce mondo regge.'

This verse has been a stumbling-block to the interpreters. Some pretend that the particle *se* expresses a wish, and that it answers to the English auxiliary, *may*: others maintain that it is a conditional particle. *M. Biagioli* paraphrases it thus: 'If I desire that thou shouldst last in the world, and that thou shouldst never yield to the violence of the enemy.' *M. Rossetti's* interpretation is thus: 'And if ever, as it appears, you are still living in the world;' but to this sense is opposed what *Farinata* had said to *Dante*, viz. 'O *Tuscan*! thou who through the city of fire alive art passing;' so that it is not probable that *Farinata* should say after that: *If you are still living in the world*. Our commentator has added, '*as it appears*,' and says that although *Farinata* thought *Dante* was alive, nevertheless he was not sure of it, since no one had confirmed him in this



option, and thus he justifies the interpretation of *se*, as a conditional particle. Love of truth induces us to confess that neither of these interpretations pleases us; and, after having long reflected on the subject, we consider Landino's interpretation most probable and persuasive. He derives *regge* from the verb *riedere*, (to return); and Mr. Cary, following this interpretation, and corroborating it with an example from the notes to the Decameron, p. 43, Ed. Giunti, 1573, where it is said that a poet, before Dante, had translated *redant floren* by *reggono i fiori*, has thus translated this verse:

So to the pleasant world mayst thou return;

which is consonant with the context of the conversation between Dante and Farinata; because the latter having perceived that the former was a living man, going through the infernal regions, the wish that he might return to the sweet world is natural and proper. We, however, without deriving, in a strange manner, *regge* from *riedere* (to return), derive it from *reggere* (to govern, or partake of the government), and translate thus: *If ever thou partakest of the government in the sweet world, tell me, &c.*; as no other but one who was acquainted with the political measures of the Florentine Republic could inform Farinata of the cause why that people was so cruel against his kinsmen. The answer of Dante to him:

Lo strazio e 'l grande scempio  
Che fece l'Arbia colorata in rosso  
Tale orazion fa far nel nostro tempio,

is explained by M. Rossetti thus: 'The slaughter and great havock of that battle which coloured the flood of Arbia with red, is the cause why such harangues are made in our Temple of Justice, and which foment hatred against your blood! Although this be the general interpretation of this passage, yet it seems to us that Mr. Cary has understood it in a better manner:

The slaughter and great havoc, I replied,  
That colour'd Arbia's flood with crimson stain,  
To these impute, that in our hallow'd dome  
Such orisons ascend.

And he says, in a note on the words, *such orisons*. This appears to allude to certain prayers which were offered up in the churches of Florence for deliverance from the hostile attempts of the Uberti; or, it may be, that the public councils being held in churches, the speeches delivered in them against the Uberti are termed *orisons*, or prayers. We wish that the second part of this note had been omitted, because Dante says *tale orazion* in the singular number, which evidently gives it a different sense from orisons or prayers delivered against the Uberti in public councils, and signifies, undoubtedly, a ritual or formulaary prayer to be offered up to the Almighty against the relatives of Farinata, pronounced or sung in the churches; such as we remember to have read of in some

History of England, as being added to the Litany, after the evacuation of the Normans: *A furere Normanorum libera nos Domine.*

**CANTO XI.—Heretics.**—In this canto, Virgil, assuming the character of a preceptor, instructs his follower concerning the various kinds of sins; and of their greater or lesser gravity, from which originates the greater or lesser intensity of punishment, and the construction of the infernal pit. In the exposition of this canto, the reasoning of Virgil is rendered much more clear than it is in the text; and whoever wishes to understand the remaining part of the Inferno, should read it with great attention, as it contains information which will render almost every part of it intelligible. Having now gone through the eleven cantos contained in this volume, we shall offer some general remarks on M. Rossetti's Researches on the Allegorical System of Dante's Vision, in the course of which we shall have occasion to advert to facts and opinions that cannot fail to interest every lover of Italian literature. But this we must reserve for a concluding article in our succeeding number.\*

TO GERALDINE.

GIFTED beyond thy sex's common lot,  
Exalted genius, matchless wit are thine;  
Rich attributes, which time bereaveth not,  
And chance cannot destroy: a loan divine,  
Lent thee by Heaven, to grace the splendour of thy line.  
Deem it then treasure; but guard well the trust,  
Improve, ere yet 'tis past, each fleeting hour,  
Neglect, the brightest, keenest, band will rust,—  
E'en the rich diamond owns the artist's power.

\* In the first article on this subject, (No. 42, vol. xiii. p. 517, &c.,) the following errata occur:

Page 517, line 18.	for. cuohi chi read	ciechi che
— 40.	anatitico	analitico
519, — 6.	although	who
— 8.	Giuncelli	Guinicelli
— 46.	unque	ungue
—	rassicus aquilicium	rapiens aquilinum
— 47.	aceptialonque	acephalonque
521, — 8.	phlegatonta	phlegetonta
— 18.	folle di romanze	fole di romanzi
— 24.	troppe	troppo
— 29.	molte	molti
— 31.	farra morir de	farà morir di

## ON THE SALT MONOPOLY OF INDIA.

*To the Editor of the Oriental Herald.*

SIR,

Calcutta, January 1827.

Mr. Tucker affirms, in his late financial work, that the salt monopoly in Bengal does not raise the price of salt to the consumer more than 200 per cent. To determine the correctness of this assertion, I send you the following official documents, suppressing names, in order not to make the parties obnoxious to Government:

## 'SALT.

'To .....

'Sir,—I am directed to acknowledge the receipt of your letter, dated 1st instant, and to inform you, that the salt therein alluded to having been sold by public auction on the.....last, under the provisions of Regulation XV. of 1817, the overplus, sicca rupees 297 : 1 : 11, after the payment of the custom duty, will be paid to ..... who imported the salt in question, as annexed statement, on his furnishing a receipt for the amount.

'I am, Sir, &amp;c. &amp;c.

(Signed)

'R. SAUNDERS, Sec.

'Board of Customs, Salt and Opium,  
the.....of.....1825.'

'Statement of Bussorah salt imported in the ship..... Captain  
..... in .....1824, under the provisions of Regulation XV. of  
1817, and sold by public auction at the Exchange Rooms, on the  
of..... 1825.

'2476 maunds at 312 sicca rupees, per. maund, S. Rs. 7,725 1 11

'Deduct custom duty at 8 rupees per. maund.....7,428 0 0

'Overplus [!] paid to the proprietor.....297 1 11

(Signed)

'R. SAUNDERS, Sec.

'Board of Customs, Salt and Opium,  
the.....of.....1825.'

Now, Sir, the cost of this salt on board at Bussorah was as follows: 2000 Bussorah maunds, equal to 2476 Bengal maunds, at 175 piastres per maund, piastres 350, or sicca rupees 262 : 8.

Showing that the wholesale advance alone on the prime-cost was 290½ per cent.; if we add 60 per cent more for the retail advance, we shall be much within bounds; making the price of this salt to the consumer 350 per cent. above the prime cost, instead of 200, as stated by Mr. Tucker.

But this is not all. Mr. Tucker gives it as his opinion, p. 56, the consumer 'will not complain' (a happy phrase how or to whom is he to complain, when the Government is the monopolist!) 'if the price does not exceed 350 rupees per 100 maunds;' meaning, of course, that the supply of salt may be safely regulated by this limit. If, therefore, the salt in question had realized this monopoly price,

the advance would have been 330, and by the time the salt reached the consumer, about 400 per cent., or exactly *double* that stated by Mr. Tucker : an advance, too, be it remembered, not on Bengal or Madras salt, but on salt brought all the way from Bussorah, of quality and whiteness equal to *good English salt*, and the natural cost of which is, at least, one-half more than that of the kinds consumed in Bengal.

Mr. Tucker, the advocate—general and particular—of the Honourable Company, and moreover, a Director *in esse*, fails not to talk of his ‘professional experience,’ p. 8. to say, that he has merely followed, in his work, ‘the *beaten path* which has long been familiar to him ;’ ‘pretensions’ to knowledge and accuracy, which, although he is pleased, with commendable modesty, to call ‘moderate,’ will naturally dispose the *English* reader to place great reliance on his statements and opinions ; and of course stamp them current as unanswerable authority among the whole herd of *Court* parasites, whose incessant peans in praise of the mild and benignant rule of the Honourable Company, have for especial object to drown all inquiry into the operation of this monopoly, one of the most oppressive, and of all other monopolies and taxes which ignorance and rapacity have united in devising in India.

I say nothing of the fact exhibited by the above adventure, of the Honourable Company pocketing a clear profit of 280 per cent., in the shape of duty, on an article everywhere a necessary of life, but doubly such in a country where the food is entirely vegetable ; while the merchant, who is kept fourteen months out of his money, sustains, in the end, a loss of about 80 per cent. ; but I shall confine myself to a few remarks upon the salt-monopoly.

In p. 53, Mr. Tucker acknowledges, that ‘heretofore the manufacture’ (of salt for the monopoly) ‘was the source of great misery to the inhabitants of the adjacent districts, who were often forced into the service, and compelled to expose themselves in the unhealthy marshes of the *sunderbunds*, to the attacks of tigers and alligators, and to all the physical ills engendered by a pestilential climate ;’ and although the writer closes this horrible picture of what he describes as the *past* sufferings of the *molungees*, or salt-makers, with the following charitable hope : ‘this grievance has, *I trust*, been removed ;’ yet he is compelled to admit, in the same page, that, ‘with Courts of Justice to protect,’ he fears ‘these wretched *molungees* are among the worst conditioned of our subjects, and employed in situations where they may become the victims of ferocious animals and disease’ !

The people of England hear daily asseverations of the *pure* and benevolent intentions of the Rulers of India towards the Natives : they are told of vast and various plans, in execution and in agitation, for improving the moral and physical condition of our Eastern subjects ; and they must be sickened, even to nausea, at the sym-

pathy for the 'poor benighted Hindoos,' which certain Eastern philanthropists take every opportunity of expressing. But what name too base can be bestowed upon such vile and disgusting arts, when we see it proved, that the same Government which drags away its helpless subjects in thousands, to a life more horrible than the punishment of robbers and felons in most countries, on the plea of the necessity of manufacturing salt, actually itself creates that necessity by prohibiting foreign salt! It is not only not denied; nay, it is distinctly admitted by the warmest panegyrist of this Government, p. 54, that 'both the interests of the revenue and of humanity would be consulted by the admission of foreign salt.' Then, why is it prohibited? The following postulates may guide us to the reason:

If it be granted that there must be salt-districts, it follows that there must be salt-agents; and, as salt-districts are proverbially unhealthy, salt-agents must be liberally paid; that is, with salaries and emoluments of 70,000 or 80,000 rupees a-year each. Then, their duty lies among rivers and marshes, and as at salt-stations there are bad houses, and at Calcutta tolerably good ones, it is only reasonable that they should dwell in Calcutta, and have yachts at the public expense to move about in; and, as their journeys are through jungles and sunderbunds, it is but just that they should receive table-money. Moreover, it has long been admitted, on all hands, that all Civilians of 20 or 25 years standing, become, *ipso facto*, by the title of having lived so long, old and meritorious servants of the Company, possessed of an indefeasible right to all situations of 70,000 and 80,000 rupees a-year: whence it follows, that they either have a fee-simple, or a reversionary interest in all salt agencies, which are among the most lucrative, and (such is the ardent zeal of these veterans in braving fevers, tigers, alligators, and hardships untold) among the most coveted situations in the service. To suppress these agencies, therefore, would be not only a severe and unmerited reflection on the ardour and devotedness to the public service of the chosen band, but an enormous violation of vested rights, tending, in direct consequence, to curtail the hard-earned rewards of long, faithful, and honourable service; to extinguish the aspiring zeal and generous emulation of the juniors; to depreciate the value of writerships, all and singular; and finally, to lessen the source of fair and legitimate patronage. Wherefore, salt-agencies cannot be suppressed, nor foreign salt admitted, and moulungees, with established Courts of Justice to protect, must be content to be taken away and devoured, as heretofore, by tigers and alligators, and swept away by fevers. Q. E. D.

I am, Sir, your most obedient servant,

P. S. This letter, it is obvious, was written (but afterwards mislaid) before we heard of Mr. Tucker having succeeded to the Discretion. We shall now see whether his book was designed for any better purpose than as a bait for his seat.

**RULES OF THE LONDON COLLEGE OF PHYSICIANS.**

*To the Editor of the Oriental Herald.*

SIR,

June 7th, 1827.

I DESIRE the favour of your inserting the accompanying letters and subjoined observations in the next number of the 'Oriental Herald.' I am, Sir, your obedient humble servant.

EDWARD HARRISON.

*Copy of Dr. Harrison's letter to Dr. Chambers.*

SIR,

7, Holles-street, Cavendish-square, May 12, 1827.

I was not a little surprised, on my return to Quebec-street, last Sunday evening, to learn that you had formally refused to meet me in consultation, because I had not received a license to practice medicine from the London College of Physicians.

As the delicate sufferer was, at the time, in the greatest possible danger, I leave you to form your own conclusions upon the humanity and propriety of declining to give assistance to an afflicted fellow-creature, in compliance with a capricious and untenable by-law.

To the patient and to myself the determination was fortunate, because it had led the parents, before my arrival, to procure the assistance of an experienced and able physician. This gentleman has, like myself, thought proper not to apply for the College license, and yet he assures me, that the members of your corporation do not object to consult with him, whenever their services are wanted. So true it is, that it may suit them at times to enforce the rigid observance of a by-law, and at other times to leave it entirely to individual discretion.

To enter into a minute investigation of the supposed grounds of your refusal, would lead me far beyond the limits of an ordinary letter. It will be sufficient for my present purpose to state, that neither the late Dr. Baillie nor your colleagues, Drs. Warren, Turner, or Paris, ever ventured upon such a measure, when their medical services were requested along with mine; and it would perhaps have been more suitable to a person in your professional station, to have imitated their example, than to have formed a rule for yourself.

As far as concerns me individually, it is really a matter of perfect indifference, whether I am in future to meet in consultation with the Fellows of your College, or am to lose their services in cases of danger or obscurity. London happily contains many physicians, out of the pale of your corporation, in whose skill invalids may safely confide.

~~Under this impression, my first determination was wholly to overlook the contents of your note addressed to the mother of my patient. In relation to the purport of it, a few nights since, in a large~~

party of physicians, who, in the phraseology of your College, are denominated 'alieni homines,' I became convinced of my error; indeed it now appears to me, that in following the bent of my inclination, I should have neglected the duty I owe to my alma mater, the University of Edinburgh, and to my brethren, the 'alien' physicians, established throughout the British dominions, as well as to the public at large.

Deeply interested in the questions at issue between the medical graduates of England, and of all other countries, I shall now call your attention to some of the reasons which have led me uniformly to resist the arrogated powers of the London College. In opposing them, I am neither influenced by hostility nor prejudice: my chief aim is to relieve myself and brethren from the degradations imposed upon us.

Among the reasons which have influenced me to adopt my present course, it will be sufficient to state: 1. That, unless I have been misinformed, every candidate for your license is obliged, on his bended knees, to swear obedience to the laws and regulations of the College, though, by a refinement in legislation, as far as I know peculiar to yourselves, he is not suffered to read them either before or after he has complied with the oath. If such be the case, I cannot help giving it as my deliberate opinion, that the ceremony is equally dishonourable to the parties who require, and to those who submit, to this preposterous exhibition.

2. Another insuperable objection to the College license is founded on your arbitrary and illegal by-laws. According to my interpretation of the medical statutes, the College of Physicians is equally open to the graduates of every University. It possesses no distinction of ranks, though the highest has, by a series of encroachments, been limited to the physicians of Oxford and Cambridge, while a lower grade has been forced upon all other physicians.

These are some of the numerous objections which I feel, and which make it impossible for me, under the present constitution of the College, to apply for their license. Should the College still be of opinion, as they formerly professed to maintain, that they can legally compel the acceptance of a license, or the discontinuance of practice, I beg them to be assured, that I am perfectly ready to try the question, whenever they may think proper to afford me the opportunity. I must, however, in the mean time, strongly remonstrate against the custom of endeavouring to obtain their object by a course injurious to medical science and prejudicial to the community.

You may possibly be aware that I formerly stated the same sentiments to Dr. Baillie, and after his death, to Dr. Turner. I did not omit on either occasion to add, that the Fellows were, in my opinion, highly culpable in making regulations which they dare not attempt to enforce in a court of law.

As my sentiments remain unaltered, I embrace the opportunity

which you have afforded me, to renew my offer, through you, to the College. Should the challenge be at length accepted, I pledge myself to carry the suit to a full hearing and final decision.

In repeating my offer for the third time, I desire to remind you, that I have hitherto been content to assert my own privileges and independence, when they were unnecessarily assailed. But after so many provocations, I now think myself called upon openly to claim for myself and colleagues all the rights and privileges of British subjects, agreeably to the Union of the two kingdoms. To an Englishman it appears to be more than absurd and ridiculous, that he should be supposed to have lost any of his natural rights, by visiting another portion of the same kingdom merely to qualify himself for the duties of a profession, the knowledge of which he could no where acquire in his own part of the country.

If the Fellows shall still think fit to decline the contest, an enlightened public cannot fail to appreciate their real motives, however they may be disguised or concealed.

As for the graduates of my order, they will not be slow to perceive the folly of connecting themselves with an incorporation from which they must afterwards expect to receive only marks of neglect, of opposition, or of humiliation.

I think myself entitled explicitly to inquire from you, on this occasion, whether, in refusing to meet me in consultation, you considered yourself as acting discretionally, or under an indispensable obligation imposed on you by the laws of the College.

I beg leave to add, in conclusion, that unless I receive a satisfactory answer in the space of a month, either from you or the College, to the several allegations contained in this letter, I shall feel it my duty to publish it, for the information and guidance of my brethren, wherever they may be situated. I am, Sir, your obedient humble servant,

(Signed)

EDWARD HARRISON.

To Dr. Chambers, Brook-street.

*Copy of Dr. Chambers's answer to Dr. Harrison's letter.*

SIR,

Brook-street, May 14th, 1827.

I have to acknowledge the receipt of your letter, dated the 12th of May, which only reached me this afternoon.

In answer to it, I beg leave to state, that I do not feel myself called upon to enter into the discussion of the questions which you conceive to be at issue between the College of Physicians and yourself.

I have only to say as to myself, that in refusing to meet you in consultation, I acted in obedience to a positive regulation of the College, and that it is a matter of indifference to me whether you publish your letter on the subject or not. I am, Sir, your most obedient humble servant,

(Signed)

W. F. CHAMBERS.

To Dr. Harrison.



Although Dr. Chambers declares, that 'in refusing to meet me in consultation, he acted in obedience to a positive regulation of the College,' will he venture to maintain, that he has never invaded this *positive regulation* or by-law during his connection with that body? I have, as already observed, been joined in practice with no fewer than four Fellows, during my short residence in London. I may now add, that from Dr. Chambers alone have I encountered a refusal. I have also said, that the alien physician, an old metropolitan practitioner, who supplied the Doctor's place, is in the constant habit of meeting the Fellows professionally. After stating these facts, I shall not expatiate further upon the glaring incongruities and absurdities of the Fellows, but leave them to explain their motives, and to form their own justification.

2. Do the Fellows ever decline to consult with Surgeons on cases strictly medical? Physicians had formerly the whole management of constitutional diseases intrusted to them; and were also applied to, as the *dernier* resort, in surgery; but so completely are the tables now turned in these respects, that while the surgeon openly beards the doctor in medical practice, he is jealous of the smallest encroachment upon his own department. Many examples of recent date might be given in support of these assertions; as regards the former, the reader cannot have forgotten, that two individuals of the highest medical and surgical rank were lately in conjoint attendance, for several successive weeks, upon two distinguished and very exalted characters; one of the cases was purely medical, and the surgical treatment of the other was so inconsiderable, that the surgeon could only be wanted for his medical skill.

3. According to present usage in this country, the ordinary practice of physic is almost entirely confided, in the first instance, to the family apothecary; the physician is only thought of when the case becomes alarming or tedious. After his introduction, their visits are continued in accordance, and the two share the responsibility between them.

4. Upon what justifiable grounds, then, can the Fellows refuse to be united in consultation with the 'independent physician,' while they have no hesitation in freely consulting with the surgeon and apothecary?

5. In a colloquial conversation with the late Dr. Baillie, some long ago as the month of June, 1821, while we were engaged upon the case of a young lady, I fully explained my opinion of the London College of Physicians, as alluded to in my letter to Dr. Chambers. This was the third patient, after my arrival in London, who had called for our joint assistance. As the Doctor had never omitted on former occasions to recommend my application for the College license, I determined, at this interview, if a good opportunity occurred, to assign my reasons for declining to comply with his urgent solicitations. The opportunity being given, I avowed it, as my deliberate

conviction, arising from legal inquiries, and a careful investigation of the subject.

1st. That the College of Physicians is, according to the laws of the realm, and Charter of King Henry VIII., equally open to the medical graduates of every university. I added, that it was, in point of fact, conducted upon this principle from its first establishment in 1523, to about the middle of the last century, including a period of more than two hundred years.

2d. That at this eventful era, a predominant party of Oxford and Cambridge physicians, unfortunately for medical science and the true interests of their profession, had the temerity to narrow the by-laws, in order to promote their own selfish views. On referring to the exact time when these regulations were enacted, we are led to believe, that they were chiefly intended to check the rising prosperity of the University of Edinburgh. Had the College formed their excluding by-laws anterior to the British Union, something might, perhaps, have been advanced in extenuation of their conduct, though, inasmuch as the healing art is the production of no particular soil, it would be absurd to attempt to confine its cultivation within the limits of any district. But no sooner were the two nations consolidated into one kingdom, than it became the bounden duty of every citizen to efface local distinctions, and promote harmony through the land.

3d. That the College was extremely culpable in making by-laws which they durst not endeavour legally to enforce.

4th. That it was due to themselves and to the physicians of my order, either to try the validity of their present regulations, or to make such as they would be able to defend.

5th. That fully satisfied with the stability of my own position, I was ready, whenever the College were pleased to attack my station, to defend it with legal and constitutional weapons.

Such was the purport of my conference with Dr. Baillie, at our last interview; and a similar, though less extended, conversation took place in the year 1824 between Dr. Turner and myself. Having subsequently been met in consultation, both by Drs. Paris and Warren, judge of my surprise on receiving a positive refusal in the person of Dr. Baillie.

On the 10th of June, 1825, I received from Dr. Baillie a letter, in which he informed me, that he had been consulted by the College of Physicians, and that he had advised them to refuse to receive me as a member. I was much surprised at this, and immediately wrote to Dr. Baillie, expressing my surprise, and requesting him to inform me of the reasons for this refusal. He replied, that the College had decided on this course, and that he had no voice in the matter. I then wrote to the College, expressing my surprise, and requesting them to inform me of the reasons for this refusal. They replied, that the College had decided on this course, and that they had no voice in the matter. I then wrote to the College, expressing my surprise, and requesting them to inform me of the reasons for this refusal. They replied, that the College had decided on this course, and that they had no voice in the matter.

## SUMMARY OF THE LATEST INTELLIGENCE CONNECTED WITH THE EASTERN WORLD.

THE latest papers that have reached England from India extend to the end of January from Bombay, and to the middle of February from Madras and Bengal. From each of these we have made such selections as appeared to us of greatest interest; though it must be confessed, that from the paucity of events, and the general dullness that now more than ever characterizes the Journals of the East, it is a matter of some difficulty to obtain, even from a pretty extensive series of their numbers, matter of sufficient interest and importance to fill a few pages in such a manner as shall render them worthy the attention of English readers. The best are unquestionably the papers of Bengal; and we observe, that since the last advices from thence, which were given in our Number for June, two new Journals have been started in Calcutta: one by the Rev. Mr. Adam, the Unitarian Missionary, who had left the 'Bengal Chronicle,' to the editorship of which he had succeeded after the removal of Mr. Sutherland; and the other, by a second brother-in-law of the notorious Dr. Bryce, in the shape of a Sunday Edition of the Daily 'John Bull,' but under the new name of the 'Oriental Observer,' professing to embrace subjects of theology and morals, as well as miscellaneous news. The first number of this new paper was issued on the 18th of February, the date of the copy that has reached us. We begin, however, with the 'Bengal Chronicle' of January, 1827, and pass on to those of Madras and Bombay, extracting from each the most interesting portions of their pages, in the successive orders of their dates:

### EAST INDIA JURY BILL.

In our last we presented our readers with the remarks and reflections of a Hindoo of Bengal, on the Madras proceedings in relation to the East India Jury Bill, giving quite a different view from that which has been hitherto entertained of the probable motives of the Natives at that Presidency for adopting the course they have pursued. The writer considers that they are in fact hostile to the Bill, but that they have not had sufficient public spirit to make their real objections known, and that they have merely adopted those suggested to them by certain Europeans at Madras, in order to get rid of the Bill, which they dislike for very different reasons, viz. for its illiberal spirit, and for the insulting and degrading exceptions, on the ground of religion, which it contains. That these exceptions are felt by the Natives of Bengal as insulting and degrading—as contrary to the spirit of English law, and to the principles of abstract justice,—we know, not only from personal communications on the subject which

we have had with Natives of the first respectability and intelligence in Calcutta, and from the remarks, the production of a Native pen, to which we gave insertion in Sunday's paper, but also from an article which we have this day extracted and translated from the 'Sumbad Cowmudee.' This Native paper, we may remark in passing, is conducted on the most independent principles, it being, in fact, the only one edited by a Hindoo that has had the courage to avow its rejection of the popular idolatry, and to oppose the most revolting and injurious practices, current amongst the Natives, such as the burning of widows, the prejudices of caste, &c. This is probably one cause of its limited circulation among the Native population; but we need not add, that it forms a strong claim on the patronage of all those who are desirous of seeing pure religion and sound knowledge spread in this country. The article to which we have referred contains a brief but clear and perspicuous analysis of the spirit and principles of Mr. Wynn's Bill, against some of the provisions of which it strongly and justly protests, on the grounds we have already mentioned. It also gives us the first intimation we have received, of an appeal having already actually been prepared and sent to England against the objectionable parts of the Bill. This not only proves the existence of the feeling to which we have already referred, but also shows that it has been in silent but useful operation when we least expected it. The prompt adoption of this legitimate mode of obtaining redress for a supposed grievance, originating not with the local authorities but with Parliament at home, must, we believe, be as gratifying to the Government here, as we are satisfied it will be to the public in general.—*Bengal Chronicle*.

#### OPINIONS OF A NATIVE INDIAN ON THE JURY BILL.

We will briefly state the purport of the observations which appeared in the 'Bengal Chronicle' of the 5th December, on the subject of the late Act of Parliament, respecting the admission of all classes of Natives to sit upon juries.

1. All classes of Natives, namely, Hindoos, Musulmans, Christians, &c. will have the privilege of being chosen jurors, to judge in cases of murder, theft, and such other criminal suits; but it is left to the Judges of the Supreme Court to determine and make regulations respecting the qualifications of such persons as to their knowledge of the English language, and judgment in secular affairs; that is, the Judges will permit those only to act as jurors whom they shall think qualified for the task.

2. The Grand Jury is to be composed exclusively of Christians.

3. All classes, indiscriminately, will be eligible to the Petit Jury, which has the power of determining whether a person is guilty or not guilty; with this exception, that when either of the parties is a Christian, all the twelve persons of the jury shall be no other but Christians; on the contrary, when either of the parties is a Hindoo,

or Musulman, or of any other class, Christians shall have the privilege of judging; that is, all the twelve persons, or any number of the jury, may be Christians.

The consequence of this new Act passed in England is, that in matters where a man's life is at stake, or where banishment, imprisonment, and such other severe punishments are awarded, we Hindoos and Musulmans must submit to the verdict of Christians, whether they be the natives of Britain, or the offspring of British fathers by Indian mothers, whether they be the common Portuguese or Armenians, or the Rice Christians of Serampore. These persons shall have the privilege of judging in cases where our lives are concerned: whereas we, although living in the same country, or even in the same hamlet with them, and partaking in their virtues and vices, shall have no power of judging respecting them. In like manner, our descendants must also submit their lives to the decision of the sons of Christians.

Missionaries and clergymen have spent more than thirty years in disseminating their faith in different sorts of books, and by various other means, without being able to make a single true and sincere convert to Christianity; but now the way is opened, and many persons, no longer able patiently to bear the reproach brought upon them by this Parliamentary Act, will haste to take shelter under the Christian faith. When the rulers of a country use force or art to win over their subjects to their own faith from that of their ancestors, who shall have the power to oppose?

It would have been consonant to reason, virtue, and equity, if it had been ordered by this act, that as a Christian shall have the privilege of being tried by a jury composed of Christians only, in like manner, a Hindoo or a Musulman shall be tried by a jury consisting exclusively of persons of his faith; or that as Christians shall have the privilege of sitting with Hindoos and Musulmans on the trial of a Hindoo or Musulman, so Hindoos and Musulmans shall have the privilege equally with Christians of sitting on the trial of a Christian. But instead of this, the order of the Parliamentary Act has laid all Hindoos as well as Musulmans, without any regard to rank or respectability, prostrate at the feet of Christians, whether of this or of any other place. On this subject a memorial has been presented now nearly a month past to the proper authorities in England, by a person amongst us who is waiting in anxious expectation to learn the result.—*Sumbad Cowmoody, Dec. 30, 1826.*

#### ORIENTAL LITERARY SOCIETY.

The third Half Yearly Report of the Oriental Literary Society, read at a General Meeting held on the 26th November last, has been handed to us; and we now proceed to call the attention of our readers to it, in conformity with the rule which we have prescribed to ourselves of recording the proceedings of all such Institutions.

The Report begins with lamenting the restricted sphere of the

Society's usefulness, which has been extended only by a trifling accession of members during the last six months, and proceeds to express regret for the inability that exists to compass certain measures which appear to have been long meditated. We should think that a fuller, a more public, and a more frequent exposition of them, would secure that degree of support to which they may be entitled. It is true that the rules which are appended to the Report declare, that 'the primary object of this Society is, to diffuse a spirit of literary enterprize among the East Indian Community of Calcutta;' but this is an object of so general a nature, it includes so many particulars, and may be promoted by such a variety of means, that it really conveys little, if any, information. It is added, indeed, in a subsequent Rule, that 'its constitution partakes both of the nature of a Debating Club and a Literary Society;' but we conclude, from an expression used in the body of the Report, that there is a disposition to sink the former of these characters, and we are left to conjecture, from the designation of the Society, that the latter is the one which is considered most becoming and appropriate. The Society is called the Oriental Literary Society, and, in the Report, a strong desire is expressed 'to raise the claims of the Society beyond those of a private debating club.' Yet the business of a debating club seems to form the chief, if not the entire, amount of what has been done; and a strong claim on public patronage is advanced, on the ground that it 'is the only institution in the metropolis of British India in which the habit of public speaking is regularly practised.' Now, we do not deny that the prosecution of the objects of a Literary Society and of a Debating Club may not, in some cases, be advantageously combined; but we are inclined to think that the East Indian community of Calcutta are not in a condition to prosecute both advantageously, and that the prosecution of the objects of a Debating Club is not at all called for by the present state of society and government in British India. The 'habit of public speaking,' and the 'persuasive charms of oratory,' are chiefly valuable acquirements under a free government and popular institutions; and, as far as we can perceive or judge, can be applied to no one useful purpose, under the existing government of this country, which does not allow the voice of the people to be heard, or their influence to be felt directly, in the formation even of the most insignificant police and municipal regulations. When the time shall arrive for the enjoyment of free civil, and political institutions—and every true friend of England, of India, and of the human race, should seek to hasten its arrival—when the subjects of discussion shall come home to the business and bosoms of the community, the powers of eloquence and the charms of oratory will develop themselves without any forced cultivation. Do we then maintain with some, that the habits of public discussion should be discouraged or repressed, because of their supposed incompatibility with the spirit and genius of existing institutions? Far from it, for there are numerous important objects that may be

accomplished by means of the indirect expression of the public will through the medium of the press. Our argument can be made to extend only to the art of speaking, and even with respect to that we make it a question merely of comparative utility, holding that it is far less important in the present circumstances of the East Indian community, that they should acquire the art of speaking, than that they should acquire something to talk about—that sound and digested knowledge of principles and of facts in nature and science, in history and government, which will enable them, in due time, with credit to themselves, and with advantage to the state, to assert and exercise the rights and duties of freemen. From these remarks, the managers of the society will perceive, that we are of opinion they should altogether relinquish the design of a debating club; and we infer, perhaps erroneously, from a passage already quoted, that there is a disposition to do so. Be this, however, as it may, and whether our suggestion be approved or not, we beg to express our earnest wishes for the improvement of that class whose benefit it more immediately contemplates.—*Bengal Chronicle.*

#### JUDGMENT RESPECTING ALIENS IN INDIA.

*Supreme Court, Calcutta, December 29, 1826.—Ponchelut versus Stansbury.*

In this case Mr. Marnell stated that he was requested, in the absence of the Advocate-General, to address a few words to their Lordships previous to their giving judgment. He considered it one of great importance. Previous to the passing of the Act of Parliament, an alien who had lived seven years in any of the colonies of his Majesty was admitted to the privileges of a natural born subject. The seventh and eighth of William III. were passed to prevent fraud in these colonies, and the thirtieth of George III. was intended to afford facilities to aliens to recover their possessions. In the present case, if it were held that aliens could not inherit landed property, considerable mischief would arise. In General Martin's case, it appeared that there was a declaration on his own part that he was born in Lyons in France, and he yet held considerable property which the heir-at-law could inherit.

Mr. Turton was on the same side, and contended that there was a strong distinction between aliens in England, and those in a country which was held as acquisition from a Native Prince. He did not mean to say that an alien could inherit land in England, but that he could in this country. In England no foreign troops could be raised without an Act of Parliament, but here the Company had power to do so without any such sanction. We had lately acquired an accession of territory, and were the inhabitants of it to be considered aliens or subjects of his Majesty?

The Chief Justice said the town of Calcutta was situated differently from other places. No law could be made here but by the

Legislature and the Government, subject to the approbation of the Supreme Court. The present question was, whether aliens should receive landed property by descent.

Mr. Turton stated that the law of England did not wholly extend here, and it became a question whether a part of it shall be applicable or not. Could it be said that all persons born in the ceded provinces, and before the sovereign came to the throne, could not inherit landed property?

Sir Anthony Buller had understood that the person now claiming was born in Pondicherry, while it was under the dominion of the French Government.

Mr. Turton stated that the plaintiff admitted that he was born in that country, but subsequent to the time it was conquered by the English. In this country, Persians were allowed to hold land, and it was somewhat strange that the latter did not enjoy that privilege. This place had always been the resort of foreigners. There were Moguls, Turks, and Armenians here, and if they were allowed to hold lands, there could be no ground for alarm if half a dozen Frenchmen were permitted to do so. The question was, whether the law relating to aliens was as applicable in this country as it was in England. The circumstance of its not having been acted upon hitherto, was an argument that it was not applicable here.

The Chief Justice called Mr. Turton's attention to the fifty-fifth of George III. which gave the Government the summary power of sending any person out of this country, who was not born within the allegiance of his Majesty.

Mr. Turton thought that anterior to the passing of the act there was no argument against aliens holding landed property. That law, if introduced here, would be peculiarly hostile to them, as well as produce considerable mischief. It would discourage the trade of Calcutta, which was chiefly carried on by foreigners. If the Court held that the sons of Frenchmen were aliens, they must also hold that the inhabitants of Calcutta were so. The present plaintiff was born in Pondicherry, which was in India, and he could not therefore be turned out of his possessions. General Martin was a Frenchman, and only had a commission under the King, and had no right therefore to inherit.

The Chief Justice, with the greatest respect for the talents and integrity of the learned Judge who presided at the hearing of the cases of Joseph s. Ronald, and that of Martin, begged to say that there was an inconsistency between his decisions on them, which he could not easily reconcile. In the former, he had argued that no freehold property existed in India, or ought to exist, and in the latter, that the heir-at-law should inherit the property, though it was particularly brought to his notice that General Martin was an alien. The present question was, whether the son of an alien could inherit



the landed property of his father. It appeared that sometime in 1776, the father of the present plaintiff landed at Pondicherry, where this man was born, and that sometime after, his father came to this country and purchased landed property. At the time he was born, Pondicherry was under the French Government, and is so at the present time. In determining the present question, it was necessary to consider how much of the English law was applicable to this country under the charter. It had been stated, that the law with respect to aliens was not applicable to countries acquired by conquest. This was not the case. When the English law was first introduced in this country, our dominions were not so secure as they now are; and at Bombay there was a strict rule that the Company should not give any portion of the land to foreigners. In North America and the West Indian Islands, whether acquired by conquest from Europeans, or those who were, previous to our colonization, inhabited by savages, a distinction was observed between aliens and British subjects; and when his Lordship was called upon to say whether the legislature contemplated such a difference in this country, he thought by turning to the act passed in 1815, that the distinction was considered. The case was different with respect to a British subject: he knew he was removable at the order of the Government, that he lived under a license which could be revoked, and if he purchased any landed property which he could hold only under a license, he did so with his eyes open. Under these circumstances, his Lordship was decidedly of opinion, that the common law of England, as it related to aliens, was applicable to this country.

Sir Anthony Buller and Sir John Franks concurred with the Chief Justice.

#### EVACUATION OF RANGOON.

We have extracted from a cotemporary a more detailed account of the evacuation of Rangoon than had previously appeared. Passing over the formalities usual on such occasions, the most interesting portion of the statement is that which relates to the apprehended contest between the Burmese and Taliens, which it is declared the Burmese themselves seem to think inevitable. It is added, that, of course, a strict neutrality will be observed on our part. We have no doubt that this is the proper course to be pursued in present circumstances, in as far as the British Government is individually concerned, but we should like to see an explanation given of the extent of our promises to the Taliens during the period of our own reverses at Rangoon, and how far a strict neutrality will consist with their fulfilment.

We are happy to learn that measures have been taken effectually to secure the property of British merchants at Rangoon, and that Lieutenant Rawlinson has been left in political charge of the British interests for the present. The Burmese population, it appears, are emigrating in great numbers, a very clear indication of their dis-

satisfaction at retaining under the former government. When we connect with this, the approaching sanguinary struggle between the Burmese and Taliens, every friend of humanity and of good government must regret that Pegu was not retained in the possession of the British, instead of those provinces to the south and east, which, separated as they are from all our other territories, must be considered rather as an incumbrance, and which, however great their fertility, or however valuable their productions, cannot justly be regarded, either in a political or commercial point of view, as an equivalent for the town of Rangoon alone.

The above was written for insertion in our last publication, but was necessarily deferred for the reason then assigned. The further information that has since transpired either through the public papers or private channels, of the state of affairs at Rangoon, confirms the anticipations of a fierce struggle between the Burmese and Taliens. On this subject we refer to the extracts from the last 'Government Gazette'; and the current report in Calcutta, derived from the passengers of the *James Colvin*, is, that the Taliens, within two days after the evacuation by the British, attacked the Burmese, drove them from Rangoon, burnt the town, and laid waste the surrounding country. We make these statements as they have been made to us, without pledging ourselves for their correctness.

From the Government Gazette of January 1, 1827.

We have been favoured with the perusal of letters, by the late arrivals from Rangoon, of various dates, from the 22d November to the 8th December inclusive. According to the arrangements originally concerted with the Burmese Deputies, Rangoon was to have been delivered up to them on the 20th of that month, but at their request the cession was delayed until the 25th, upon the plea of their not having had time to prepare a house for the reception of the Viceroy, and they again made it their urgent request, that the British authorities would not leave the place until the end of the month, or the arrival of the Viceroy. These delays, originating wholly on their side, were not without their convenience, as they afforded time for the arrival of the means of transport from Madras and Martaban, which the prevailing winds at this season had contributed to retard. One of the vessels, the *Indian Oak*, conveyed the left wing of the 30th Madras Native Infantry to the coast, in the middle of November. Upon Sir Archibald Campbell's assent to await the arrival of the Viceroy being made known to him, he hurried down from Panlang, and reached Kemmendine on the 25th November, with a few thousand men, pressed from the villages on his route. On the 26th, he reached Rangoon, and was received with a complimentary salute. His visit on this occasion was merely one of compliment to Sir Archibald Campbell, whose permission he solicited and obtained, to occupy a house in Rangoon, without interfering with the British authorities. He then returned to Kem-

mandine, whither Sir Archibald Campbell proceeded on the 27th. On his way up the river, he was met by the Viceroy's flotilla, with his own war-boat and umbrella, the highest compliment that could have been paid: at the request of the Chiefs, the British General proceeded in the Viceroy's boat to Kemmendine, where he was received with every possible demonstration of respect and cordiality.

On the morning of the 28th, the Viceroy made his public entry into Rangoon, receiving a salute from the British force. On the 29th, he dined with Sir Archibald Campbell, attended by only four of his Sirdars, and partook of the entertainment with perfect ease, and with a natural politeness extremely gratifying to all present. On the following day, Sir Archibald paid him a visit of business, during which the Viceroy is said to have shown great anxiety to obtain some assurances of a friendly disposition, in the approaching contest between the Burman authorities and the Talien population, which he seemed to think inevitable, as the Chief of Syriam, and all his principal adherents, had abstained from paying him the customary respects; they had provided themselves, he stated, chiefly through the presence of the English in Pegu, with arms and ammunition, intending to oppose his authority, as soon as the British officers had departed. It seems highly probable, therefore, that an intestine contest will ensue, which, from the character and animosity of the contending parties, will no doubt be sanguinary; of course, a strict neutrality will be observed on our parts.

Sir Archibald Campbell embarked on board the *Alexander*, on the 9th of December, for Moal Mein, and the Rangoon flag was hoisted on his quitting the town. Notwithstanding the presence of the Burmah Viceroy, and the intermixture of the troops of both nations, as well as the influx of an immense and promiscuous population, no occurrence calculated to interrupt the good understanding of the different authorities took place; the Burman officers avoiding any interference with the local arrangements, and declaring it to be the order of their sovereign, that they should consider themselves subject to the British commander during his stay. We understand, that before the General left Rangoon he had secured to the British merchants there the privilege of removing, with their *bona fide* property, without hindrance or charge of any kind, for a given period, as forming part of our evacuation of the place. He has also left Lieutenant Rawlinson, of the Bengal Artillery, in political charge of the British interests at Rangoon for the present, until further arrangements may be thought expedient.

No intelligence had been received from Mr. Crawford himself, subsequent to his arrival at Ava, but despatches, to the address of the Viceroy, had been communicated to the latter, stating, that the Envoy appeared to be well pleased with his reception, and that his Majesty of Ava was in great good humour, from which it was concluded that every thing was going on as well as could be

wished. It is expected that Mr. Crawford would shortly be on his return to Rangoon.

It had been settled, that salutes should be exchanged upon the lowering of the British flag, and the elevation of the Burmese, but the Burman ordnance had been hastily placed in position on the land side to prepare against the approach of the Talien force, and this compliment was therefore omitted, but every other demonstration of good will was cheerfully paid. The troops were much crowded in the vessels on which they were embarked, but it was expected that they would not suffer much inconvenience as the passage was so short. The emigration of the Burmese population from Rangoon continued to a late period. On the 22d November, a large flotilla departed for Amherst, with about five thousand persons on board. Accounts from the southward are all very satisfactory; the population of Tavoy has increased to nearly thirty thousand.

*From the Government Gazette of Jan. 4, 1827.*

By the *James Colvin*, letters have been received from Moelmyne, dated the 8th December. This vessel had an extraordinarily quick passage, having left Amherst Town on the 20th, and made Saugor in ten days.

By this opportunity, we learn the arrival at Moelmyne of Sir Archibald Campbell, with the troops and public stores from Rangoon. They sailed on the 9th, and reached the Saluen in 48 hours. The preparations for their accommodation at the intended cantonments were going on with great activity, but until their completion, his Majesty's 45th had been, with the concurrence of the Viceroy, cantoned in old Martaban.

The following is the purport of the pledge given by the Viceroy in favour of the *bond fide* British property left at Rangoon, belonging to merchants and other individuals: No duty, impost, or charge of any description, shall be made on goods brought by British subjects to Rangoon during its late occupation; but merchants may buy and sell them without hindrance; and all merchants wishing to ship such goods to a foreign country, shall be at liberty to do so without hindrance, and free of duties and charges, within three months from the date of the evacuation at the town of Rangoon.

Before the *James Colvin* sailed, a report was generally current at Moelmyne, that Rangoon had been attacked and taken by the Peguers. The Taliens were said to have advanced immediately after the departure of the British, and, after three or four days' fighting, gained possession of the town. The Burmans had entrenched themselves in the Great Pagoda. There was great reason to credit the truth of the report. The force with the Viceroy, about four thousand strong, was a mere rabble; and the chief man of Syriam, the head of the insurrection, is known to be a man of energy and courage. It was also reported, that a Carian chief, with a consider-

able force, had marched against Donabew. Sir Archibald Campbell had despatched the *Ternate* cruiser to Rangoon on the 19th, to ascertain the state of affairs there.

From private communications, we learn that several letters had been received from Ava, from European traders there, mentioning Mr. Crawford's arrival, and his having had an audience of the King.

#### UNITED SERVICE CLUB OF INDIA.

Amongst the proposed rules of the Calcutta United Service Club, to which we some time since gave insertion, there was one which restricted admission to candidates who should have stood appointed seven years to one or other branch of the service, with certain specified exceptions. We are sorry to learn that some misapprehension prevails with respect to this clause, and that it has been understood to apply exclusively to the officers of His Majesty's and the Honourable Company's Military and Medical Services, and not to members of the Civil Service. This misconception appears to have arisen from an error in the transcript of the original paper, drawn up at the meeting of the 29th ultimo, in consequence of which the circumscriber in the copies circulated, did not comprehend as it should have done the words "Civil Servants," an omission wholly accidental and undesigned. We are happy, therefore, to have it in our power to remove any unfavourable impression which this accident may have produced to the detriment of the club which it has been proposed to establish, and from which we expect the most advantageous results. The restriction of seven years, the purport of which must be sufficiently obvious, is of general application except in the cases specified, and affects equally the civil and military branches of the service.

#### AGRICULTURAL AND HORTICULTURAL SOCIETY OF CALCUTTA.

A meeting of this Society took place on Monday, the 1st of January, at the house of their President, Mr. Leicester, for the purpose of examining the vegetables exhibited by the Native gardeners, who were candidates for the medals and premiums given by the Society for the best specimens of potatoes, peas, cabbages, and cauliflowers.

Although nearly two hundred individuals had applied for, and received seeds and plants from the society in September and October last, still very few candidates appeared, and a fair criterion was not obtained of the produce for the bazar.

The meeting, after examining the several specimens of cauliflowers, awarded the silver medal and forty rupees in money, to Raintonoo Buddan, an extensive vegetable gardener at Gokool, Italy.

The prize of the silver medal and forty rupees was bestowed on Hulloothur Doss, of Italy, for the best peas.

3. The silver medal and forty rupees was given to the same Ramtonoo Puddan for the best potatoes; and,

4. The silver medal and twenty rupees was given to the same Ramtonoo Puddan for the best cabbages.

For this prize, the cabbages exhibited by Ramtonoo Puddan and Hulodhur Doss were so nearly alike, that Hulodhur Doss was adjudged to have deserved half the money premium, and received it accordingly.

The best cauliflower exhibited to the meeting was from the garden of Simon Fraser, Esq.; and the best peas were exhibited by Mr. Fenwick; but the premiums being strictly confined to Native cultivators, neither of these specimens were admitted to compete.

The venerable the Archdeacon Corrie and W. Paxton, Esq., were unanimously elected members of the society.

The secretary read to the meeting a letter which he had lately received from Government, conveying its approbation of the objects of the Society, and expressing its readiness to afford the Society the use of a piece of ground, rent-free, for an experimental garden and farm, if such a spot should be now available, and not inconsistent with the general interests of Government: upon which points the Society was requested to communicate with the Board of Revenue and Collector of Calcutta.

With reference to the observations in our last, on the subject of planting the cocoa-nut on low, sandy islands, reefs, &c. as suggested by Flinders, we have been favoured with the following suggestions, calculated to ensure the growth of the plant:

In all countries, within 10 degrees of the equator, the germinating cocoa-nut may be procured at all seasons of the year: it has a particular name amongst the Malays when in that state.

The nuts should be chosen with the germ just bursting from the nut, or not more than eight inches long, and may then be strung on the stem and quarters like pumpkins; occasional rains, or a few buckets of sea-water, will be all the moisture they require, and if once these be planted, there is nothing but accident that can prevent its growth. Nuts which have not germinated are likely to become rancid.

ASAM. Under the Native Governments of Asam, a ready access was maintained to all parts of that country at every season of the year, by the construction of broad and elevated causeways, over which most practicable roads, when all the rest of the surface was under water. In the course of time, and during the political convulsions by which Asam, for nearly a century, has been torn to pieces, these causeways, or bunds, have disappeared, and the want of roads has contributed to perpetuate the evil whence it originated, the depopulation and destruction of the kingdom. One of the principal of

these bunds, which was said to extend through the whole length of Asam, from Cooch Behar to Sadya, and which was constructed in the reign of Gadadhar Singh, has been lately made the subject of inquiry; and the condition in which it has been found, and its utter inapplicability to the purposes of its original formation, are strikingly illustrative of the condition of Asam, in which so vast a work could be suffered to fall to such cureless ruin.

At the point where it was visited, about two miles north from Lakhomati Bhoteya Goam, it runs through a thick forest, infested with wild beasts of every species. It follows a direction N. 55 E., and divides the district of Nao Dewar, in Asam, from the Dufia district, the land on the northern side of the bund belonging to the Dufia Raja, whilst the bund itself, and the country to the south, are included within the boundaries of Asam Proper.

The bund at this place is about eighteen feet broad, and is generally eight feet in height, but in many other parts it is nearly effaced, and is very generally hidden by brushwood, or even by trees of many years growth; at a short distance to the north, is a small hill rivulet named the Deiring, running in a bed of sand and siliceous stones, amongst which are found pieces of half formed coal.

The Dufias, to the northward of the bund, are a powerful hill tribe, inhabiting the second range of hills. They carry on an active traffic with Asam, bringing down rock-salt and coarse red woollens, and carrying back a return in dried fish, buffaloes' flesh, and coarse silk. Their nearest village is about eight miles north of the bund, which, in this part of its extent, is said to have served as a boundary line. There are no villages immediately on its course, and from its being so thoroughly overrun with jungle, it is now utterly impassable.

#### TRADE OF SINGAPORE.

The Count Van Ranzow, Resident of Rhio, is at present on a visit to this settlement, for the recovery of his health, and for the purpose of obtaining medical advice. We understand that he intends remaining here for some time.

*Tin.*—Large quantities of tin have lately been imported here, from the ports of the Peninsula to the north of Malacca; particularly from Sungy Lingi, a small river which forms the boundary between the Malacca territory and the possessions of the Salengore Rajah. The mines of that district are at present wrought with much spirit, and the produce of them this year is very considerable. It is almost all brought to Singapore, and during the last week 450 piculs were imported by prahus belonging to the place. The mines are situated about thirty miles up the river, and are all upon the Salengore bank. The Rajah does not interfere much with the operations of the miners, but levies a duty upon all tin that is exported.

The quality of the Straits tin, generally, has suffered much deterio-

oration lately by the practice of mixing it with other metals, such as Tonquin lead and spelter, which can be purchased here at a very cheap rate. Some of the shipments, to China in particular, proved so bad this season, that what cost 31 dollars per picul here, was sold for 16 dollars at Canton. The fraud, we believe, is practised chiefly by the Chinese, and as it is one which is extremely difficult to detect, it is carried on with impunity, and probably to a great extent. We think the subject deserves the notice of the Government, and that some measures ought to be adopted for its prevention.

*Native Vessels.*—We are happy to observe that the Natives of the Coromandel coast have in some manner conquered their dread of pirates, and ventured in their own vessels to navigate the Straits of Malacca. A considerable number of these craft have come here this season, laden with betlenut from Pedier, and a few have imported piece goods direct from Coromandel. This is a trade which is capable of much extension, and as soon as the Straits are perfectly cleared of pirate prahus, it will, no doubt, increase rapidly, and be conducted on a much greater scale than the present system admits of. Numerous emigrants have arrived by some of these last vessels to seek their fortune in this settlement, where many of their countrymen are already colonized.

*Junks.*—Two junks arrived a few days ago from Siam with full cargoes. The crop of sugar is reported to be very abundant this season, and the produce of the finer qualities greater in proportion than usual. This market will, therefore, be plentifully supplied with this article, as the number of junks fitting out for the Strait is at least equal to that of last year.

A Hainan junk came in last night from Saigon and Kaugkau in twenty-four days. She imports a cargo of rice, which constitutes the whole of her lading :

Stic-lac has not been imported by any of the Siam junks which have arrived this season. It is said that the supply has entirely failed, and that there is not more collected than is sufficient for the consumption of the country. The price had risen at Bangkok to upwards of twenty tikalls per picul.—*Singapore Chronicle.*

#### RUSSIANS AND PERSIANS.

The contest between these two powers appears, as far as our information extends, to be conducted with little spirit on either side. The following notice, taken from 'Bombay Gazette' of the 20th of Dec., which has just reached us, supplies all, we believe, that is professed to be known of its progress; and as the particulars furnished rest on report, little confidence can be given to them. There is, however, no improbability in the tenor of the information thus communicated, as no one at all acquainted with the comparative means of the two nations, could doubt that the first impetuous movement in the war on the part of the Persians would be followed by a signal retribution :



A letter from the Gulf, dated the beginning of November, mentions that a report was prevalent among the Natives of a considerable fortress on this side of the Arras river, belonging to the Persians, having been stormed and taken by the Russians; and the garrison and inhabitants, between five and six thousand in number, put to the sword without distinction, with the exception of twelve persons only who escaped. It was further said there was little to impede the progress of the Russians into the interior, who appeared determined to advance as rapidly as possible.

By the same opportunity we learn that the city of Bussorah was in great distress, from being besieged by the Montefique Arabs, who had succeeded in cutting off all supplies, and threatened the place with attack by storm. The Governor had forced all capable of bearing arms to mount guard on the walls; all business had in consequence ceased, the greatest alarm prevailed, and to add to the distress, provisions had risen five hundred per cent in price.

#### MEDICAL AND PHYSICAL SOCIETY OF CALCUTTA.

A meeting was held on Saturday, January 6th, the Vice-President, Mr. Wilson in the chair. The following gentlemen were elected members: Mr. Roe, Mr. Bell, Mr. Walker, Mr. Lindsay, and Mr. Reynolds. The Society then proceeded to elect the office-bearers for the ensuing year, agreeably to the notice given at the previous meeting, when the following nominations took place. Mr. Gibb, President; Mr. Wilson, Vice-President; Dr. Adam, Secretary and Treasurer; Mr. Twining, Assistant Secretary, and Assistant Treasurer; Dr. Grant, Mr. Breton, Dr. Graham, Mr. Grierson, Committee of Management; Dr. Grant, Mr. Breton, Mr. Grierson, Dr. Mellis, Dr. Graham, Committee of Papers.

The thanks of the Society were voted to the office-bearers of the past year.

The following presents were made to the Library and Museum. 'Camper's Dissection of an Elephant,' and 'Wade on Bengal Disease,' by Mr. Wilson; 'Foedere, Medicine Legale,' by Mr. Gordon; and a number of MSS. notes of the Lectures of Cullen, Black, and Munro, by Dr. Playfair; a specimen of caries of the Tibia, by Mr. Barber; and a small Distilling Apparatus, by Dr. Adam. Several cases of considerable professional interest were submitted to the meeting, and made the subject of discussion.

We understand that the third volume of the Society's Transactions will be put to press immediately; the first volume, we are happy to find, has attracted the notice of all the principal medical journals at home, and has been very favourably received. The following remarks introduce the notice of the volume in that popular work, the 'Lancet.' We observe that the comments are, not only in this instance, but several others, largely indebted to the prefatory pages of the volume:

'We should ill become the station, which, as medical journalists, we have the honour to occupy, did we not seize the earliest opportunity of congratulating our professional brethren on the formation, under such happy auspices, of a medical society in the metropolis of British India. The benefits that may result from this measure are incalculable. Well conducted associations of this kind have done more, perhaps, to advance and aggrandize the sciences, than the patronage of the rich and the powerful—of kings and emperors. It would be idle to descant on the many discoveries and improvements which immediately followed the institution of the Royal Society of this country, and others of a similar nature abroad. A host of memorable names, not inferior to the most illustrious of the ancients, will occur to every one—men whose genius will be better appreciated, and shine with increasing and more resplendent lustre, as the world grows old.

'Seeing the impulse which well-organized societies have communicated to the sciences, we cannot withhold our thanks from the very meritorious individuals with whom the present association originated, and under whose liberal and enlightened policy it promises to grow so great, and prove so extensively useful. That system of exclusion, those principles of faction and division, the elements of dissolution, which are mixed in the very composition of many of our modern medical societies, happily for our Oriental friends, form no part of their government. We do not doubt, therefore, that their exertions will prove of great and lasting service, not only to medicine, but to every branch of literature and science that may be deemed collateral to it. It is probable that the imperfect science of the *Baidis* or *Hakeems* of India cannot furnish much instruction to the practitioners of Europe; but liberal and cultivated minds will welcome the light that may be thrown upon the past and present state of Oriental medicine by the labours of the industrious and the ~~honest~~ **whether their information be derived from authentic sources or actual observation.** The history of Mohammedan medicine, comprising the most flourishing periods of the schools of Bagdad and Cordova, has been pretty fully elucidated, but fails with the decline of the power of the Caliphs; a long subsequent period in this branch of inquiry is therefore involved in obscurity, and the medical history of the Hindoos is an utter blank. In these respects, therefore, there is ample scope for investigation, which may be prosecuted with every advantage in the country in which the Society is with so much judgment established. To the Oriental nations we owe the introduction of many simples into medicine, which were unknown to the Greek and Romans, such as manna, senna, tamarinds, and rhubarb, besides musk, nutmegs, cloves, &c.; and in modern times, the madar, croton oil, &c. Hence it is not improbable, that many valuable remedies may yet be culled from the *ateria medica* of the East; but if no accessions of value be derivable

from that source, a vast store of knowledge, important equally to physiology and pathology, may be collected and rendered subservient to the healing art. That much may be done is proved by the present volume of transactions, which, although the Society has been so recently established, contains many papers of sterling value. —*Bengal Chronicle*.

#### ASIATIC SOCIETY OF CALCUTTA.

A meeting of the Society was held on Wednesday evening, Jan. 10, the Honourable J. H. Harington, Esq., the President, in the Chair. Lieutenant Pemberton was elected a member. This being the occasion of the annual election of Vice-Presidents and Committee of Papers, the following gentlemen were chosen:

**VICE-PRESIDENTS:** The Honourable W. B. Bayley, Esq.; the Honourable Sir Charles Grey; the Honourable Sir John Franks. — **COMMITTEE OF PAPERS:** Dr. Adam; Reverend Dr. Carey, J. Calder, Esq.; Dr. Grant; Lieutenant Forbes; Major Hodgson; Rev. Mr. Mill; W. H. Macnaghten, Esq.; C. Smith, Esq.

The correspondence relative to the mission of Captain Dillon, in search of the survivors of La Perouse's shipwreck, was laid before the meeting. A number of presents to the Museum were made, of which the following were the chief of those presented by Dr. Tytler:

A brass statue of Gotamah, from Arracan. Two brass ditto, highly ornamented, and holding a pot with offerings, from Arracan. Three ditto ditto, crowned, holding offerings, ditto. Ancient brass model of a temple, containing four images of *Buddha*, with lags or serpents over the entrances, from Arracan. Various brass statues of *Buddha*, from Arracan. A siva linga, worshipped by the Arracanes, procured in a temple at Key-Keraingdong. Thumb of a large image of Gotamah at Arracan, made of solid stone. A wooden image of a female, called the wife of *Gotamah*, worshipped by the Arracanes. A small brass box, containing small white pebbles, five of which are placed in the statue of *Buddha*. Model of a brass Arracan temple, used in the worship of Gotamah. A quiver filled with twenty Burmese arrows. Ditto ditto, twenty-seven, from the Foggy Island, on the west of Sumatra. Two marble statues also, from Pegu Mew, were presented by Captain Ross, and various specimens of the South Seas, by Captain Herbert.

Dr. Tytler also presented to the library five Burman manuscripts; and the following works were likewise received: Various Noa. of the *Journal Asiatique*, from the Asiatic Society of Paris. A history of the Persian Poets, with translations, by Joseph Von Hammer, of Vienna, and an account of the Persian Manuscripts in the Library of Turin, by the same. A specimen of the *Hitopadesa*, and an introductory essay to the *Chronicle of Biar Hebraeus*, by Professor Bernstein of Breslau, in Silesia. A dissertation *De Rebus Intusorum*, and on Lucius, the first Roman pontiff, by Bishop Mauer.

The 2d part of the 20th Vol. and first part of the 21st Vol. of the *Archæologia*, from the Antiquarian Society, and the first and second parts of the 6th volume of the *Transactions of the Horticultural Society*, from that Society.

A letter from Mr. Hodgson to Mr. Bayley, was then read, giving an outline of the theocracy of the Buddha system of Nepal. In other countries, following the Buddha creed, it does not appear that there are any beings recognised as superior to Gautama and the other Buddhas, although they are avowedly of mortal origin and human nature. There are spiritual and celestial beings, Brahmās and Nats; but in the scale of purity, and in the ultimate object of exemption from future birth, they are very inferior to the genuine Buddha. This, there is reason to believe, is the original, and most unsophisticated system of Buddhism; but in every country, different innovations have been grafted on the primitive stem, and in none, apparently, has this been carried farther than in Nepal. The same modification, probably, prevails throughout Tibet, and the regions, which thence derived their creed, of China and Japan, in which we know a vast number of divinities share the popular adoration with Fo or Buddha. When these additions to the primitive stock occurred, is yet matter of inquiry, but they savour strongly of Manichæism. According to the information now communicated, the northern Buddhas acknowledge four sets of divine beings, or of superhuman objects of veneration. The first of these is, contrary to the generally supposed atheistical tendency of the faith, one primal and uncreated deity. This first Buddha manifested five of his attributes, as five secondary Buddhas; in one of whom, *Amitabha*, or the 'immeasurably splendid,' in Prakrit and Pali, *Amitābo*, we recognise the *Amito* of the Japanese. From these five personifications, five other Buddhas, or Bodhi-satwas, were produced, by whom the active duties of creation were performed; and amongst the created beings occur the human Buddhas and Bodhi-satwas, of the first of whom there are seven principal, and the latter of whom are infinite; including every person of exalted piety, by which indeed the individual may become a living Buddha, such as the Lama of Lassa is supposed to be. The Buddhas, consequently, are not restricted to any particular number, any more than the Bodhi-satwas; and all theories resting upon the individuality of Buddha are utterly overthrown.—*Bengal Chronicle*.

#### THE GOVERNOR-GENERAL.

The Right Honourable the Governor-General marched from Calcutta on the 24th of November, and encamped at Bodlee Ka Tukera, near the city of Lucknow, on the 28th of November. The following morning having been fixed for his Lordship's entry into the capital of Oude, a deputation arrived from the King, at an early hour, to conduct his Lordship from his tents, and was received with suitable attentions. The Governor-General marched from the camp

in full state, at about half-past seven o'clock, and was met at the entrance of the suburbs by the King of Oude, with the principal officers of his Court, and an immense retinue of elephants, camel-riders, horsemen, and foot attendants. As the elephants approached each other, his Majesty and the Governor-General exchanged the usual salutations, and his Lordship stepping into the King's howdah, the procession moved forward through the city. The roofs and balconies of the houses were, in many parts, hung with tapestries of kimkhab, tas, and other rich stuffs, and every building was crowded with spectators, interspersed with numerous bands of singers and musicians. After passing the Muhul of Asefood Dowleh, where the guard in attendance on his Majesty's eldest sister saluted the Governor-General; the Suwarree passed along the sands of the Goomtee, between two lines of troops, and amidst continued discharges of cannon, to the palace of Furrih Bukhsh, where breakfast was prepared in the verandah of the banqueting rooms, called the Bareh Durree. On rising from the breakfast-table, his Majesty offered the established number of trays to the Right Honourable the Governor-General, Lady Amherst, and the gentlemen and ladies of the suite. His Majesty also presented a copy of his miniature, set in diamonds, to the Governor-General, and a bed of curious workmanship to Lady Amherst. Garlands, with utter and paun, were then distributed, and the Governor-General proceeded to the residency, where his Lordship and family remain, during their visit to Lucknow.

His Majesty returned the Governor-General's visit, and breakfasted with his Lordship, at the residency, on the following morning.

The Governor-General, Lady Amherst, and suite, partook of a dinner and entertainment at the palace of Furrih Bukhsh, on the evening of the 1st.

His Majesty the King, the Heir Apparent of Oude, the Minister, and several of the principal courtiers, dined with the Governor-General at the residency, on the evening of the 2d instant.

The Governor-General held a Durbar on the 3d instant, at the residency, when about eighty Natives of rank and respectability were introduced, and Khelats were conferred on most of the number.

The Madras Government Gazette, of the 30th November, contains a report of the proceedings of a Public Meeting of the Natives of that Settlement, convened to consider the best mode of acknowledging the privilege of sitting upon Juries, and the result is exactly what we anticipated: they voted it a privilege with which they would willingly dispense, and agreed to present a memorial, soliciting permission to decline its exercise. The law was, no doubt, chiefly intended for a different class of the community, one better prepared to estimate the importance of discharging public duties for

the benefit of the public alone, and content to purchase the possession of a public function at the expense of private comfort. To the natives of Hindoostan, however, it can seem little better than insanity to court gratuitous trouble and responsibility, and to discharge any public function to which they are not compelled, or for which they are not rewarded. The particular duty also, in this case, involves so many considerations utterly incompatible with their individual feelings, and with their social condition, that even the prospect of profit would fail to bribe them to its ready performance. Such must ever be the consequence of a premature attempt to transfer the usages of one form of society to another, to which they are wholly foreign and unfitted.—*Madras Government Gazette, Dec. 4, 1826.*

The Natives of Bombay have presented an address to Major-General Wilson, on his approaching departure for England, which is signed by forty-five Parsee Merchants, thirteen Hindoo, and five Mohammedan inhabitants. In the answer returned by Major-General Wilson, he states, that upwards of forty-six years have passed over since his first arrival in the country.

#### EXAMINATION OF THE ENGLISH AND TAMIL SCHOOLS.

The Annual Public Examination of the English and Tamil Schools, at the Vepery Mission of the Venerable Society for Promoting Christian Knowledge, and the Incorporated Society for the Propagation of the Gospel in Foreign Parts, was held in the new Mission Church at Vepery on Saturday, Jan. —, in presence of a highly respectable assemblage of the ladies and gentlemen of the Presidency. Amongst the visitors were the Honourable Sir Ralph Palmer, Chief Justice, Sir G. W. Ricketts, Sir Ralph Rice, and the Clergy and other Members of the Societies' Committees. The number of children belonging to these schools is 360, and their neat appearance, and attentive and orderly demeanour, excited just approbation.

The Tamil examination was conducted by the Rev. Dr. Rottler, senior missionary at Vepery; that in English by the Rev. W. Roy, senior chaplain at the Presidency, and Secretary to the Madras District Committee of the Incorporated Society. These schools are continued upon the admirable system adopted in England by the National Society for Schools; and on this occasion we had an opportunity of observing the large measure of success with which it has been pursued, in the benevolent establishment at Vepery. The children gave specimens of their attainments in reading and cyphering, and displayed a very pleasing degree of intelligence and proficiency. The Rev. W. Roy directed, in an able manner, the examination of the English classes in their knowledge of Holy Scripture, and of the summary of Christian Faith and Practice, contained in the Church Catechism. The result was not less creditable to those under whose charge these young persons have been placed, than gratifying to all who witnessed this interesting scene.

Medals and presents of books, as rewards of merit, were distributed to those whose progress in learning, and whose general good conduct, best entitled them to such encouraging distinctions.—*Government Gazette, Dec. 28.*

#### GULF OF PERSIA.

Accounts from the Gulf of Persia mention that Ramah Bin Jabir, an Arab chief, long celebrated for his turbulent and daring disposition, has experienced a fate characteristic of the whole course of his life. His violent aggressions having united the Arabs of Bahrenia and Katiffe against him, they blockaded his port of Daman, from which Ramah Bin Jabir (having left a garrison in the fort under his son) had sailed, in a well-appointed *bugalow*, for the purpose of endeavouring to raise a confederacy of his friends in his support. Having failed in this object, he returned to Daman, and in spite of the boats blockading the port, succeeded in visiting his garrison, and immediately re-embarked, taking with him his youngest son. On arriving on board his *bugalow*, he was received by his followers with a salute, which decisive indication of his presence immediately attracted the attention of his opponents, one of whose boats, commanded by Shaik Ahmed Bin Sulliman, a nephew of the Shaik of Bahrenin, proceeded to attack him. A desperate struggle ensued, and Shaik Ahmed finding, after some time, that he had lost nearly the whole of his crew by the fire of Ramah's boat, retired for reinforcements. These being obtained, he immediately returned singly to the contest, nobly prohibiting any of the other boats of the fleet from joining in the conflict. The fight was renewed with redoubled fury, when at last Ramah, being informed (for he has been long blind) that his men were falling fast around him, mustered the remainder of the crew, and issued orders to close and grapple with his opponent. When this was effected, and after embracing his son, he was led with a lighted torch to the magazine, which instantly exploded, blowing his own boat to atoms, and setting fire to that of Shaik Ahmed, which immediately afterwards shared the same fate. Shaik Ahmed and a few of his followers escaped to the other boats, but only one of Ramah's brave crew was saved; and it is supposed that upwards of three hundred men perished in this heroic contest.—*Bombay Courier.*

#### GOVERNOR-GENERAL'S DEPARTURE FROM LUCKNOW.

On the 4th December, the day previous to that appointed for the Governor-General's departure from Lucknow, his Lordship, in consequence of an invitation from the King, proceeded to breakfast with his Majesty at the Palace of Pearls (Motee Mohul,) accompanied by all his suite in full uniform, and escorted by the body-guard. The King came out to meet the Governor-General about a hundred yards from the palace. Passing through the arch of the handsome gateway of the Motee Mohul, the procession entered an extensive square, in which was erected a circular enclosure, con-

constructed of interwoven bamboos, about thirty feet in height—in which, as we approached, we observed about six large buffaloes and several cages with tigers had been attached, at different places, on the outside of the bamboo enclosure, each having a small door opening into the arena, in which the buffaloes were impatiently waiting to give them battle.

The enclosure was quickly surrounded by the elephants of the spectators, and by crowds of Natives—the uproar waxed exceeding great, and the frightened buffaloes charged with exceeding fury; but, fortunately, they were proof against their formidable horns. Few of his Lordship's party had previously been witnesses of a tiger fight, and expectation was raised to the highest pitch, when two tigers were let in upon the raging buffaloes. But, alas, for human foresight! in this, as on most occasions, reality was fully disappointed by anticipation! The tigers crept trembling along the sides of the enclosure, and made no attempt to defend themselves, or to avoid the blow, when the buffaloes, carrying their heads close to the ground, charged down upon them, and pinned them to the bamboos. A pugnacious bear was then let in, as the champion of the fallen tigers, and expanded his ample arms to embrace the noble foe; but Bruin's self-complacency was considerably disturbed by suddenly finding himself elevated six feet above his ordinary level, with a small rent or two in his comfortable fur jacket.

The party then proceeded to a part of the palace called the Moor-barok Munzil, where breakfast had been prepared in a spacious and remarkably elegant saloon. After breakfast the party adjourned to the verandah which overlooked the Goomtee, for the purpose of witnessing combats between elephants and rhinoceroses, and other amusements, that had been prepared for the occasion. Two elephants were arraigned against each other on the opposite bank of the river Goomtee, which at this spot is deep and narrow. The exhibition succeeded little better than the tiger fight, for after a slight struggle, the sagacious animals seemed to discover their respective strength, and the weaker turned tail and strode off to the jungle. After considerable delay, and firing of squibs, the elephants were again brought together, and prevailed on to renew the combat. The fugitive mustered all his vigour for one desperate struggle, and succeeded; for a moment, in lifting his antagonist from his fore-legs, but, as if sensible that he had exhausted his powers in the effort, he withdrew. The King being far from well, the entertainment soon after broke up, and the rhinoceros fights did not take place.

On the morning of the 5th December, the Governor-General left Lucknow, and proceeded to the Resident's house in the cantonments, which is situated about four miles from the city.—*India Gazette*, Dec. 21.

#### FROM THE NATIVE PAPERS.

*Maharajah Ranjeet Sing*.—It appears by Ukhbars, that, up to the



15th ultimo, the encampment of this chief was at a place called Naheta; and it is said that a detachment of Koor Khurg Sing's army had marched towards Peshour.

**Maharajah Scindia.**—The Ukhbars state, that up to the 12th ultimo, this chief was at his usual place. It was represented to him, that the regiment under the command of Cheelah Desmookh had commenced disturbances for their pay; the commander was seized and placed before a gun to be shot, but was fortunately extricated from the hands of the rebels by the assistance of some of his friends, and in the struggle two persons were wounded. The soldiers have since surrounded his place of residence. The son of Surjah Rao was ordered to persuade the soldiers and settle the disturbance.

**Delhi.**—Ukhbars from this quarter state his Majesty's health to be in the same state as before, and give no news of any importance.

**Jaypoor.**—It is stated in the Ukhbars from this quarter, that the 14th ult. being fixed for the public appearance of the young Rajah, Sir Charles Metcalfe, the Resident, and others, were present at the palace, agreeably to the invitation from the Dowager Ranee. Chaund Sing and other Thakoors, and Munnaloll Ameer Chund, and other ministers of the state, with all the Sirdars, met Sir Charles at the Palace Bhim Mewas. Sir Charles and Captain Poe had a long conversation with the Dowager Ranee on the state affairs, and on the young Rajah's making his appearance. Sir Charles took him in his arms and spoke to him kindly.

**Sir Charles Metcalfe.**—By the Ukhbars it appears that this gentleman has left Jaypoor on the 20th Nov. and encamped at Mouzah Majoah. Captain John Poe, the Resident at Jaypoor, was in his company. The management of the state affairs of Jaypoor, which was in confusion for some time past, has been thus settled, at the request of the Dowager Ranee, with the concurrence of Sir Charles—that until the expiration of the minority of the young Rajah, the Dowager Ranee is at liberty to issue orders on the state affairs;—but a person well acquainted with business should be appointed to superintend the expenditure of the allowance from the Honourable Company; that the young Rajah continue to give public audiences, and Thakoors and Sirdars continue to attend the levee;—and that they all be on friendly terms.—*John Bull, Dec. 21.*

#### STEAM-VESSELS.

We understand that the two steam-vessels, for which the machinery was sent out from England in the beginning of the year, are very nearly completed, and that one of them will be launched on Monday, the 1st of January, at three in the afternoon. The other will be launched, probably, in about a fortnight afterwards. They are named the *Irawadi* and the *Ganges*, and are to carry eight guns each. Each is provided with two forty-horse-power engines, constructed by Maudsley originally, we understand, for the Government

at home, but transferred to the Indian Government upon the application of the Court of Directors. These vessels will be eminently useful in maintaining a prompt intercourse with the settlements on either side of the Bay.—*Government Gazette, Dec. 25.*

### BANK NOTES IN INDIA.

As an amusing illustration of the various modes in which the paper system works, we present an account, extracted from a Calcutta Paper, of the proceedings of some native Bengal Bankers, who were seized with apprehension at the increase of paper currency, and endeavoured to protect themselves from its consequences. The *naïveté* with which they determine that the 'currency of ready money is the best,' but agree to 'dispose of the notes they have before resolving on any final measure,' is extremely entertaining. The transaction is curious, as a specimen of Bengalese manners and mode of transacting business :

*Calcutta, Feb. 8.—Bank Notes.*—In the 35th number of the *Mur-tanda*, under the head of 'Marwari Saraffs,' there was published a detailed account of their intention of not receiving any bank-notes, except those of the Bengal bank, and likewise the great anxiety that was thereby raised among other Saraffs beside the Marwari. The Marwari Saraffs have now unanimously resolved, that they will gradually dispose of all the bank-notes they have in their possession by the first lunation of Chaitra in the Samvatsara year 1864, or the 27th of March, 1827, and then altogether abstain from receiving bank-notes.

For this reason, on Tuesday, the third day of lunation in Magh, on the 30th of January, at about five o'clock in the evening, the Gomasthas of the Saraffs, exclusive of the Marwari, according to their ancient usage, assembled together at the house of No. 12, at Pégahyapatry, in Barabazar, belonging to Shah Gopaldoss and Baboo Manohurdoss. The particular cause why this committee took place is as follows : Previous to any debate on the subject of bank-notes, and about twelve days before the assembly of the committee, Baboo Bunsidhur wrote a letter to Baboo Madhuridoss, to the following effect : "At present there is always some confusion about bank-notes, what is now advisable in our dealings (about them ?)" In answer to which Baboo Madhuridoss wrote to him that they had better consult together how to proceed. Two days after this, when some money was sent to the house of Shah Gopaldoss and Baboo Manohurdoss, from the house of Devidoss and Balmakund, Baboo Mahuridoss refused to take the notes of the Calcutta Bank that were part of it, and subsequently the committee was convened.

In this committee Madhuridoss first observed ; "What should be advisable in this confused state of the bank-notes, but that either the Bengal bank-notes be current, or ready money ?" Bunsidhur then said—"You wrote that you would take our advice in what to

do; but previous to it you first sent back the notes given by myself. What shall I say to it? Whatever path you may choose I will follow." Babu Motichund declared "the currency of ready money (alone) is the best; but then you must have patience, as precipitancy is not good."

' Upon this Babu Govindachund returned, "Right; but as those notes are in wide circulation, our proceeding requires mature consideration, that some poor men may not be involved in utter ruin, in consequence of our deliberations."

' Much debate took place, till at last it was unanimously agreed that they should first dispose of the notes they have, and then resolve upon some final measure. According to the tenor of the observations of the Gomashtas of Shah Gopaldeo and Babu Manohurdoss, it may be inferred that they are of opinion that as they have no hoondis (bills) to pay, which they cannot discharge without receiving notes, they are not much concerned in the matter: but those whose business is likely to be at a stand (in case the notes be not generally received, as proposed) may be alarmed at their exclusion.

' The committee continued till 11 o'clock at night: the Marwari Saraffs were invited, but declined to attend to it, adding, that they would hold another committee among themselves, and then join the rest.'

#### STATE OF DISCIPLINE IN THE BOMBAY ARMY.

We have received a printed copy of the general orders of the Commander-in-Chief at Bombay, dated the 26th of December, 1836, which exhibits a most unfavourable picture of the state of discipline in one of the Bombay regiments stationed in Cutch; and will explain easily enough why men under such treatment are so often driven to the verge of mutiny. If a general military commission were appointed for this country, to inquire into the actual state and condition of all the branches of the Indian Army, we doubt not much curious and valuable information would be elicited by its investigations; and if real grievances were redressed, we should never hear of imaginary ones, leading to the insubordination and mutiny, which have of late so frequently appeared in different quarters of India. But we give the general orders as they have reached us, and leave the reader to draw his own conclusions:

*'By the Commander-in-Chief.'*

'The proceedings of the Court of Inquiry held at Bhooj to investigate the occurrences which recently took place in the 3d regiment N.I., having at length been submitted to the Commander-in-Chief, his Excellency feels himself called upon now to declare his final sentiments on the occasion.

'This Court seems, however, to have forgotten that it was assembled to ascertain with precision the nature and extent of the alleged grievances of the men, so irregularly brought forward, and also to discover, if possible, the guilty instigators of the highly unmilitary conduct of the regiment on the morning of the 22d of August last, in refusing to obey their officers; for it has contented itself with receiving and recording the evidence of the witnesses produced before it, and has not attempted in the slightest degree to ascertain the truth of their depo-

visions. The result, therefore, of this inquiry, affords even less information on the subject, than that which is contained in the statements originally transmitted to head-quarters, and their correctness in consequence still remains questionable.

Although the depositions of the witnesses and the discrepancies in their testimony, are alone sufficient to evince that many of the alleged grievances have been, if not entirely unfounded, at least greatly exaggerated, for some of the circumstances stated are too improbable to deserve credit unless supported by the strongest proof; yet, at the same time, the whole of these documents afford strong presumptions that the discontent and subsequent unsoldier-like conduct in the 3d regiment proceeded from the professional incapacity of the commanding officer and the undue severity of the adjutant. The former, Capt. Canning, is likewise responsible for the unusual punishments which he sanctioned in the regiment, according to his own statement, and to the proof furnished by the numerous proceedings of regimental courts-martial.

That, also, Lieut. Johnson should so far have forgotten what was due to the service, in having adopted so vexatious and harassing a system, and for having interfered so improperly with the habits of the men, no excuse can be found.

An attentive perusal of the proceedings of twenty courts-martial holden in the 3d regiment, between the 13th of March and 16th of August last, has moreover proved to the Commander-in-Chief that in several instances, the usual practice has been infringed, and the express regulations of the army, as contained in the military code, completely disregarded. For it is most particularly ordered, that the superintending officer and interpreter shall *not* be the same person; and yet in no less than on four occasions, it appears that the same officer acted in both capacities. It is likewise laid down that courts-martial ought to award no unusual punishment, except when the circumstances of a particular case may imperiously require it; but his Excellency is not aware that any circumstances can warrant the sentencing a prisoner to receive a corporal punishment on his 'bare posterior,' as awarded in two instances. The sentencing also a prisoner to be 'drummed out of his regiment,' is perfectly unusual, except in the case of his being convicted of some unsoldier-like and disgraceful offence; and consequently the awarding of such a penalty, as has been done in no less than five instances, on conviction of merely being *absent without leave*, is not only contrary to the established practice, but totally ineffectual as a punishment, as it actually gives effect to the prisoner's wish of leaving the regiment.

It is not, however, by their irregularities that these proceedings are so much distinguished, as by their exhibiting a view of the interior economy of the regiment, which is highly discreditable and reprehensible. For under a better system, it is not likely that the offences investigated would have occurred, and particularly that it should have been necessary to bring so many non-commissioned officers and drill-masters in so short a time to trial for neglect of duty, disobedience of orders, and taking bribes. The convictions, however, in these instances, with one or two exceptions, appear to have been in conformity to the evidence adduced, and the irregularities committed by the several courts-martial have most probably been occasioned by their being allowed to pass always unnoticed by the commanding officer of the regiment.

Judging, therefore, from the circumstances which have been substantiated, the Commander-in-Chief is compelled to pronounce that they exhibit a state of indiscipline which his Excellency believes to be unprecedented in the service. To the neglect and incapacity of Captain Canning, of course, the blame is mainly to be attributed; and as he has thus proved himself to be quite unfitted to the active and proper discharge of his duty, it will be recommended to Government to transfer him accordingly to the invalid establishment.

With regard to Lieutenant Johnson, who has already been justly removed from the situation of Adjutant for his misconduct, his Excellency trusts that this penalty will operate as a sufficient warning to induce him to behave in future with more becoming consideration towards the feelings and habits of the men with whom he is destined to serve; and if ever he expects to render himself again worthy of the favourable notice of his superiors, he may rest assured that any

undue severity in the discharge of his duty will not constitute the grounds of recommendation. In the mean time, he is directed to join and do duty with the 2d European regiment until further orders.

'The Commander-in-Chief has already caused to be signified by the officer commanding in Cutch, his high displeasure at the conduct of the 3d regiment N.I. for the very unmilitary act of which the men have been guilty, in disobeying the orders given to them on parade, and for not following the rules laid down for bringing complaints to the notice of their superior officer. Had the established course been pursued in the present instance, it could not have failed in producing for the men of the 3d regiment every justice they were individually entitled to, and would have prevented the stain they have collectively brought upon themselves by their unsoldier-like behaviour.

'Although it would seem that the regiment had considerable cause for complaint, and might have been restrained or intimidated by fear, from making a proper appeal for redress, the Commander-in-Chief is of opinion that discontent among the men could never have risen to such a height, had the Native commissioned and non-commissioned officers done their duty; and that, owing to the close intercourse and intimacy which existed between the several ranks, the two former grades could hardly be ignorant of the feeling which must have prevailed for some time among the sepoys, and it was their duty to have reported immediately any discontent which manifested itself, to the European officers of their companies.

'The Commander-in-Chief, therefore, desires that it may be explained to the Native officers of this army, and more particularly to those of the 3d regiment, that it is their bounden duty to know the characters, habits, views, and also the real grievances (if any do exist) of the men of their respective corps; and that should hereafter any manifestation of neglect, or indifference to so essential a part of their duty, be at any time reported to head-quarters, they will be held responsible for so flagrant a breach of discipline, and the most serious notice taken of their conduct.

'The above order is to be read at the head of every Native regiment in the service, on three successive parades, and duly explained to the Native officers and men by the respective interpreters.

#### CAPE OF GOOD HOPE.

We detailed in our last Number the principal events connected with the recent history of this colony, and the tyrannical measures pursued for the suppression of the 'South African Commercial Advertiser,' at that place. We regret to see the Session of Parliament pass away without an attempt, at least, to institute a distinct and separate inquiry into this particular act—than which nothing can be imagined more flagrantly oppressive or unjust. Mr. Fairbairn, the Editor of that paper, is, we learn, arrived in England, and intends to pursue such measures as may be practicable to obtain redress: and really, every man who is a sincere friend to freedom, or an enemy to despotism—whether in the East or the West, (for the distinction between the good and evil of free discussion according to the latitude and longitude of the particular spot in which it may be exercised, is as pernicious as it is absurd,)—ought to assist this gentleman, to the utmost of his power, in obtaining justice from his oppressors. If the 'Courier' or the 'Morning Chronicle' were to be suppressed by Ministers here, all Europe would be made to ring with denunciations of vengeance for months in succession. When even the types of the English 'John Bull' were put in sequestration for fines levied after a trial at law, and the verdict of a jury, what an outcry was raised in

all quarters against such an invasion of liberty and property ! But twenty papers may be suppressed in India, in New South Wales, in Demerara, at the Cape, and the *patriotic* press of England is nearly silent on this occasion ; while, if the subject be mentioned in the Senate of this free nation, (as was the case with respect to Mr. Fairbairn's paper, when Mr. Baring recently presented a petition from certain inhabitants of the Cape,) scarcely a solitary *hear* is uttered by any one : so little does such an act of oppression excite astonishment or abhorrence in the great assembly which we are taught to look up to as the guardians of our liberties at home and abroad !

The 'Times,' from some secret motive, not easily to be even conjectured, though evincing a coldness and indifference towards the destruction of a Free Press in India, which has deprived the advocates of that cause of its assistance in moments when its advocacy might have been most valuable, is nevertheless most keenly alive to the destruction of a Free Press at the Cape of Good Hope, and has laboured on the exposure of oppression in that colony with a zeal unsurpassed by any of its contemporaries. Supposing its editors (for we understand there are several exercising nearly equal controul) to think the Caffers, the Boschmans, and the Hottentots, who may equal, together, about half a million within this colony of the Cape, to be much greater in the scale of politics or civilization than the hundred millions of Hindoos, Parsees, and Mohammedans subject to our rule and influence in India ; still, when the extent of its territories,—the number of its cities—the nature and abundance of its produce—the magnitude of its fleets—the universal range of its commerce—the strength of its army—the importance of its civil service—the amount of its revenue—the character of its inhabitants—and the general intelligence and wealth of the English institutions scattered over its surface be considered, INDIA must surely be thought to be not *inferior* in importance to the colony of the Cape of Good Hope ; and yet, if the efforts made by the 'Times' to advocate the cause of free discussion and good government in each of these dependencies of England, were to be taken as a criterion of the relative importance of the two countries in its estimation, INDIA would appear small enough to be compressed within a nut-shell, while the Cape would seem to be not merely a mere speck at the extremity of a great continent, but a country spread over a larger space than the whole of Africa itself.

Still, however, though the 'Times' is not much moved by the cruelty and oppression of first banishing an English editor, then destroying all his property, and, lastly, fettering every Press in India ; let us applaud its zeal when it is moved by injuries of the same nature, though to a much inferior extent, at the Cape of Good Hope ; and in this spirit, we willingly praise the just and well-timed observations which, during the past month, it has made on the subject of misgovernment in that colony, and sincerely hope they may have influence in higher quarters.

## NATIVE INDIAN CHARITY.

In a late Bombay Paper, the *Bombay Gazette*, of January 10, 1827, we perceive an announcement placed among the advertisements, stating, that the nephew of Amerchund Bunderchund, the eminent shroff, or banker, whose property was seized at Poonah, (as described in the second article of this Number, in the judgments delivered in the Supreme Court at Bombay,) and who did not live to see a decree for its restoration, had, in accordance with the charitable sentiments of his highly-respected uncle, obtained the liberation of all the prisoners, confined in the prisons of Bombay for debt, by paying, on their account, the whole of the debts for which they were confined, and setting them at liberty. If any European gentleman had done half as much, the English newspapers, in India, would have had their columns filled with his praise; but this act of benevolence being done by a *Native*, the very announcement can only find its way into the paper as a *paid advertisement*; and, as far as we can discover, not a line appears in the same paper, on the subject, from the pen of the editor!

## GOVERNOR-GENERAL.

The last accounts from the camp of the Governor-General left his Lordship and suite at Paladpore; the Governor-General reviewed Colonel Gardner's horse, and expressed himself highly pleased with the novel sight he had witnessed, in the evolutions and feats performed by this distinguished body of cavalry. At Agra Lord Amherst and family took up their residence at the house of Mr. G. Saunders, and were entertained in the most hospitable manner by the worthy host and amiable hostess. The Taj was visited by the Governor-General on the evening of the day on which he arrived at Agra; and a levee and drawing-room held on the following morning at Mr. Saunders's house. At the native Durbar, also held by his Lordship, a nephew of Holkar, and several chiefs of Malwa, were introduced and tendered their *nuzzer* to the Governor-General. Secundra was next visited by his Lordship; and on the 15th, Hindee Rao, the brother-in-law of Scindia, arrived from Gualior at the head of a splendid mission. The appearance of this chief, who came as an envoy from Scindia, was singular and picturesque; and the variety of warlike costumes in which his attendants appeared is represented as rendering the scene altogether unique. Another visit to the Taj to enjoy the view of beauties and grandeur by moonlight crowned the amusements of the 12th. On the 15th, Lady Amherst held a drawing-room, at which a deputation of eight Mahratta ladies were received, who had been sent to wait on her ladyship by her Highness the Bazeen Bace, with complimentary messages and presents. The male part of his Lordship's suite was excluded from this drawing-room, with the novelty and splendour of which it is said the Native ladies were much surprised and delighted.

On the 19th January, his Lordship reached Futtypore Sikri, where he was joined by the political resident of Rajpootana, Sir Charles

**Metcalf, Bart.** At this place the Governor-General received and returned the visit of the Ranee of Dholigion, who had come from the banks of the Chumbul to pay his respects to his Lordship.

Near Bhurtpore, the Governor-General was met by the young Rajah, Bulwunt Singh, attended by a numerous and handsome retinue. The Rajah visited his Lordship on his arriving at his tents; and in the evening of the same day, the Governor-General and suite were entertained at dinner by Major Lockett, the political agent at Bhurtpore. On the following day, a grand entertainment was given at the palace to the Governor-General and suite, when the streets of Bhurtpore were brilliantly illuminated, and the peaceful salute in honour of his Lordship was exchanged for the warlike cannonade which, but a few months ago resounded from the battlements of this fortress. The entertainments were conducted in great style; and nearly sixty English gentlemen and ladies sat down to it. The presence of the Maharajah at the festive board, seated between Lord and Lady Amherst, while his regent ministers supported the political agent, gave a friendly aspect to the scene, prophetic we hope of the harmony and peace that are long to distinguish our intercourse with the native states of Upper India.

On the 26th, the Governor-General entertained the Maharajah and his ministers at a dinner given in his tents, when Bulwunt Singh went through the ceremony of taking leave of the Governor-General. On the 30th, his Lordship left Bhurtpore, and was to proceed to Muttra, *via* Cumbheer, Deeg, and Goverdhun.—*Oriental Observer.*

#### NATIVE SCHOOLS AT BOMBAY.

At the annual general meeting of the Bombay Native School Book and School Society, held in its buildings on Saturday 20th January 1827, the Hon. Mountstuart Elphinstone, Governor of Bombay, and President of the Society, in the chair.

The Report of the Committee having been read by the Secretary, Capt. G. Jervis, it was, on the motion of Kaikhoosro Sorahjee, seconded by Cursetjee Manikjee, resolved unanimously,

That the Report which has been read be received and printed, under the direction of the Committee.

Peemjee Cowasjee then rose, and addressed the meeting in the following terms:

Gentlemen, I desire to propose that the sincerest thanks of the meeting be given to the honourable Mountstuart Elphinstone, Governor of Bombay and the President of the Society, for his persevering attention to the interests of this Institution. Heartily desiring as I do, in common with all of my tribe in India, to acquire the fruits of a liberal and enlightened education, it is with a delight which we are at a loss how to express in adequate terms, that we behold a scene, to which, until of late years, we have been so little accustomed, as the chief Member of the Government condescending to come amongst us, and to devote a portion of his valuable time and varied talents to the establishment and promotion of plans



by which the Natives of this country can make progress towards the attainment of the moral and intellectual superiority of European nations.

Devesdas Hurjeevundas seconded the motion, and said: 'It is impossible to omit mention of the satisfaction so universally felt by the Natives at the solicitude evinced by the worthy and estimable President on all occasions for their welfare. From his intimate and extensive acquaintance with our languages and customs, no one could be more qualified to suggest the fittest means for advancing our individual interest, and the public good. The promotion of the education of the Natives under his auspices and encouragement calls for our warmest gratitude, whilst it is the readiest ostensible way of preparing us for the reception of those boons, which the Legislature of England has recently shown a disposition to bestow on us.'

The resolution was carried unanimously.

The honourable the President returned thanks for the honour done him by the Society, and said it would be his highest ambition to merit the favourable sentiments it had expressed, and to support, by every means in his power, an Institution so conducive to the best interests of the Natives.

Various resolutions of thanks were then passed; and it was resolved, that in consideration of the operations of the Society having assumed a more exalted character since its foundation in the year 1820, the denomination of 'Bombay Native School Book and School Society,' be changed to the more general appellation of the 'Bombay Native Education Society.'—*Bombay Gazette*.

#### MISCELLANEOUS.

It is said that one of the Pilots of Bengal is on his way to England, with a proposal for the establishment of a regular line of steam packets from this country to India; of the success of which we entertain great doubts.

The latest letters from India state, that the health of Sir Charles Grey, one of the Judges of the Supreme Court, and that of Mr. Pearson, the Advocate-General, rendered it probable that they would require at least a temporary relief from their duties.

The Governor-General was still on his tour, but had given orders for all letters sent from England, to his address, after June 1827, to be detained at the Cape; so that he contemplated a speedy departure from India. Meanwhile, we hear of nothing that can be relied on, as to his successor. Mr. Wynn is now more frequently named than any other, as the probable future Governor-General; but though this is by no means unlikely, it does not appear to be actually determined on.

#### EAST INDIA COLLEGE.

It is with regret we record the resignation of Mr. Haughton, Professor of Hindoo Literature at the East India College. Extreme

ill health has forced this able Oriental scholar to retire from the active duties of the College, prematurely indeed, but not until he had given to the world a work, which will hand down his name with distinguished honour to posterity. We allude to the 'Institutes of Menu,' which Mr. Haughton has edited for the use of the College. This work has been printed with a correctness which is quite extraordinary. It has been received in India by Europeans, as well as Native Sanscrit scholars, with delight, whilst some of the latter could scarcely credit the fact of its being edited by a European. Mr. Haughton has also produced, for the use of the students of the College, a Bengalee Grammar, and selections in the same language; and should his health be restored, we may look forward to more extensive contributions to the stock of Oriental literature.

The following articles of interest, as connected with the East, have appeared in the Daily Papers:

**New Judge at Bombay.**—Mr. J. P. Grant, formerly of the Northern Circuit, and late Member for Tavistock, has been appointed one of the Judges of the Supreme Court at Bombay.—*Globe*.

**Travellers in the East.**—The Honourable Mr. Anson, brother to Viscount Anson, and Mr. \*\*\*\*\* were travelling in the Levant: they went into a mosque at Aleppo, and were there detected to be unbelievers: they were sentenced with instant death; but by some means were respited and thrown into prison. In prison, however, Mr. Anson caught the plague and died. As the fate of Mr. Anson's companion is still uncertain, we do not feel justified in alarming his friends by the publication of his name.—*Globe*.

**Murder of Captain R. Monk.**—The family and friends of this gentleman, who was the son of B. Monk, Esq., of this city, (Chester,) have received the melancholy tidings of his premature death, in the East Indies. Captain Monk was paymaster of his Majesty's 31st regiment, and was murdered on the night of the 4th of last December, on the river Ganges, while proceeding in a boat on his way to join the detachment in progress by water to Meerut, under the command of Captain Bolton. The boat was attacked by a number of Native robbers, from whom, however, the boatmen made their escape; and it was supposed Mr. Monk was thrown overboard, as the body was not subsequently found. Captain Monk first entered the army in the Cheshire Militia, and thence volunteered into the 92d regiment. He afterwards served in the Brunswick Oels Hussars, in the various parts of the continent of Europe in which they were very actively engaged during the war. Subsequently he joined the 58d regiment, and afterwards the 31st, of which he was paymaster, when he was thus prematurely cut off in the flower of his age, being only in his 42d year. Captain Monk was on board the *Kent* Indiaman when the dreadful conflagration of that vessel took place.—*Chester Chronicle*.

*Oriental Herald*, Vol. 14.

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## GRAND DINNER GIVEN BY THE HONOURABLE EAST INDIA COMPANY TO SIR JOHN MALCOLM.

On Wednesday evening, the 13th June, the Directors of the Hon. East India Company gave a splendid entertainment at the Albion Tavern, Aldersgate-street, to his Majesty's Ministers, on the occasion of the appointment of Sir John Malcolm to the Presidency of Bombay, that gallant Officer having been sworn into the office at the East India House in the morning. There were present, the Marquis of Lansdowne, the Duke of Wellington, the Earl of Carlisle, Lord Dudley and Ward, the Earl of Powis, Lords Villiers, Clive, Elliott, &c., the Right Hon. George Canning, Mr. Sturges Bourne, Mr. Huskisson, Mr. C. W. Wynn, the Attorney-General, the Solicitor-General, the Hon. Mr. Abercrombie, Mr. Herries, Admiral Sir George Cockburn, the Hon. Dr. Haliburton, Sir James Macintosh, Sir Coutts Trotter, Sir J. Lubbock, Sir Charles Forbes, Sir Colin Campbell, Sir James Colebrook, Sir W. W. Wynn, Sir Christopher Cole, Sir Robert Elliott, and Sir James Shaw, Bart.; Colonel Bailey, Captain Hart, son of the Vice-Chancellor, and several of the Directors of the Honourable Company.

The orders given to Mr. Keye, the proprietor of the tavern, by the East India Company, were, that no expense should be spared; and the dinner consisted of turtle, venison, and every delicacy the season could afford. Three courses were served entirely on silver plate, *en suite*, and the banquet was conducted altogether in the style of the most princely Eastern magnificence. The wines were exquisite, and were of the rarest and most costly kind. About 130 sat down to dinner, which was served up at about half-past six o'clock. The Hon. Hugh Lindsay, the newly appointed Chairman of the East India Company, was in the Chair. On his right sat Sir John Malcolm, in his military dress, and to the left, His Grace the Duke of Wellington, in his uniform as Colonel of the Royal Regiment of Artillery, and wearing the star of the Order of the Bath. At the extreme end of the table sat Mr. Canning, and by his side the President of the Board of Control. The Marquis of Lansdowne sat near the Premier.

As soon as the cloth was removed, Messrs. Broadhurst, Taylor, Leate, Terraile, Goulden, and Watson, sung the 'Wykehamist's Grace' in excellent style.

The CHAIRMAN rose, and prefaced the health of his Majesty with a few appropriate and loyal observations, which he concluded by proposing the health of 'Our Gracious Sovereign King George the Fourth,' which was drunk with four times four.

Air—'God save the King.'

The next toast given from the Chair was, 'His Royal Highness the Duke of Clarence and the Navy of Great Britain,' with three times three.

Air—'Rule Britannia.'

The Company having drunk the healths of the other branches of the Royal Family,

The Hon. HUGH LINDSAY again rose, and addressed the Company nearly as follows: Having displayed our affections of loyalty for the reigning family on the throne, to whom, as a commercial body, this Company is so much indebted, we are now coming to that more imme-

date, and, if I may say so, personal cause, on account of which we, the Directors of the East India Company, are this evening honoured with the presence of those Ministers to whom his Majesty has been graciously pleased to confide the important trust of managing and conducting the affairs of this realm. That object is to congratulate, on his appointment to the office of Governor of Bombay, a distinguished officer, whose services, both diplomatic and military, have justly entitled him to the reward which they merit, in his being selected to fill one of the highest situations, as regards influence and rank, which it is in the power of this Company to confer on any of their servants. In so appointing Sir John Malcolm, we entertain a certain conviction that the powers intrusted to him will be wielded with discretion, and in the true spirit of wisdom. Our opinion of his merits, qualifications, and talents, cannot be more strikingly evinced than by the fact of his appointment. It is, therefore, with much pleasure, in which we are confident you will all participate, that I propose 'the health of Sir John Malcolm, and success to his government of Bombay.' (*Loud and continued cheers.*)

Sir JOHN MALCOLM rose to return thanks. After a declaration of the feelings of gratitude which the reception of his name had excited in his bosom, the gallant General then proceeded thus:—Gentlemen, were I to follow the dictates of prudence, my purpose might perhaps be better answered by brevity of speech, but when the heart is full and the feelings are such as mine at this moment, the proudest of my life, it is impossible that this can be denied utterance. At an early period of my life it was my fortune to be ser' out to India in a subaltern situation; and from that period to the present my only aim and object have been, however success may have followed in their steps, to have devoted myself with unwearied zeal and untiring industry to the promotion of what I considered to be the true interests of the Company abroad, and the permanent and real advantage of my native country. (*Hear, hear.*) During the period which has since elapsed, it has been my fortune to have witnessed all the great and important events of which the peninsula of India has been the theatre during the last five-and-thirty years. In some of them I, too, had an humble share; and when I look back and reflect how little it has been in my power to perform in the service of the East India Company, I cannot but wonder at the confidence which they have been pleased to place in me,—a confidence, which I assure you, gentlemen, I have never ventured to repose itself. (*Hear.*) And although I do not hesitate to accept the honourable post to which I have this day been raised, nor shrink from the performance of its high and arduous duties, believe me it is more from a feeling of duty than any over-weening ambition or selfish vanity. (*Hear.*) And when, continued Sir John Malcolm, I look at the distinguished individuals who now surround me, with several of whom it has been my pride and pleasure to have been early connected in India, I cannot but feel my connection with them to be an inducement of a strong nature why I should be a true and faithful servant; and it may not be unworthy of notice, for on occasions like the present, such coincidences bear on themselves a mark of a peculiar kind, that this day on which you have appointed so humble a servant as myself to a station of so much distinction, should be the forty-third anniversary of one of the most famous and distinguished victories which have crowned the British valour in India.—[The name which was mentioned by Sir John Malcolm was drowned in the cheers that followed its announcement, so that it escaped our ears.]—And there are other inducements which can-

not fail to prove incentives to the production of whatever zeal or abilities I may possess, that, emulating however distantly some of those illustrious men with whom it was my good fortune to be then associated, I may approach them in zeal, however I may fall behind them in ability. (*Hear.*) It was there that I had the good fortune to form an acquaintance, which time has ripened into friendship, with the noble Lord now on my left hand, (turning to Lord Clive, who sat next to the Duke of Wellington,) whose father laid the foundations of our empire in the East, and lived to see arise on them a vast and magnificent imperial superstructure. (*Cheers.*) It was in that country that, placed under the tutelage of the first diplomatist of his age, (Lord Wellesley,) I learned those lessons of practical wisdom which have been the guiding star of my conduct since, and have taught me to consider that I best promoted the advantage of India when consolidating the ties which bind her to this country. And if that great man, whom his Majesty has been pleased to send to the sister island, as the representative of his power and attributes, could be spared from the high duties of his important station, I think he would be here this evening to congratulate his humble pupil on the honour which you have conferred upon him. (*Hear.*) And there, too, I was associated with the illustrious brother of that illustrious man who has come here to-night to do me honour—associated in ties of friendship, which have since continued without change, and which, if I know any thing of myself, or the great man whom I speak of, I think I may confidently assert, will ever remain unchanged. Yes; I was then appointed with him who has stamped his name broad and indelible on the annals of British heroism and renown, and who, even then, acquired a fame which he alone has lived to see excelled. (*Loud cheers.*) And when I see the Right Honourable Gentleman (turning to Mr. Canning) who eight years since recommended me to the Directors of this Company for that very post which has been this day conferred on me—when I see that Right Honourable Gentleman present this evening, I cannot but feel proud to have deserved the notice of one whose high and distinguished station, great, although it be, is as nothing compared with the splendour of his talents, and the almost omnipotence of his genius. (*Loud applause.*) On an occasion such as this, it is a proud reflection to behold around me such men. But there is another tie which will bind me still more strongly to the interests of this Company—it is the feeling of gratitude I must ever entertain for the unanimous manner in which the Board of Directors have been pleased to sanction my appointment; and when the time for exertion becomes necessary, I trust these continued motives will prove the strongest incentive to my exertions, and that I shall not fail in fulfilling the anticipations you have formed. Allow me, Gentlemen, to drink all your healths. (Sir John Malcolm sat down amidst loud applause, which continued for some minutes.)

**Air.—‘Killiecrankie.’**

The Honourable CHAIRMAN said, having drank the health of our principal guest, I now rise with feelings of much pleasure to propose those of his Majesty’s Ministers, of whom I see so many around me; and I have merely to add the expression of that hope which is so unanimously felt throughout the country, that their talents, zeal, and ability may be such for the promotion of the general welfare, as to entitle them to the gratitude and thanks of all classes. It is with much satisfaction that I now propose ‘the health of the Right Honourable George Canning, and the

rest of his Majesty's Ministers.' Drank with three times three, and followed by loud cheering ; amidst which

Mr. CANNING rose, and spoke to the following purport: Mr. Chairman, on behalf of my colleagues and myself, whom you have associated in the toast now drunk, allow me to thank this Company for the manner in which it has been received. We neither can deserve any support, nor do we claim any, but on the condition, coupled by the worthy Chairman with the expression of his and your kind disposition towards us, that to the best of our ability we consult and promote the general welfare and happiness of the people. (*Cheers.*) Gentlemen, there is no body of men in the country from whom such a compliment as you have now bestowed could come to us with greater welcome. I believe there is no example in the history of the world, on the one hand, of the existence of an imperial corporation, such as your Chairman represents, so, on the other, of the concurrence of two co-ordinate authorities, for so long a series of years, conducting, without shock or conflict, the administration of the wonderful, I had almost said the tremendous empire, over which the East India Company and the Crown jointly preside. Gentlemen, the construction and maintenance of that vast empire are as fearful as extraordinary. It is a disproof of the common adage, that little wisdom is required for governing mankind, to consider how such a machine has been gradually formed,—how a varied population, of nearly one hundred thousand souls, is kept together under a Government so anomalous, and distant thousands of miles, with so much comparative happiness, and so little of internal confusion. (*Hear.*) But, Gentlemen, the greatness of the concern to be administered has had its natural effect, it has produced a race of men adequate to its administration. I venture to say, that there cannot be found in Europe any monarchy which, within a given time, has produced so many men of the first talents, in civil and military life, as India has within the same period, first reared for her own use, and then given to their native country. (*Loud cheers.*) Gentlemen, if the compliment paid by you to his Majesty's Ministers be pleasing from the East India Company, it is doubly so where that Company, with the concurrence and full approbation of his Majesty's Government, is sending back to India, a man whom you have brought home for a time, that he might rest in the career of his honourable labours, and whom you now restore to an enlarged sphere of activity, alike for the advantage of your service and for the completion of your own reputation. (*Hear, hear.*) It is perfectly true, as the gallant Officer has himself stated, that seven or eight years ago, being then connected with the department of the Government whose duty it is to watch over your affairs, I recommended Sir John Malcolm to your notice, I believe for the very part for which he is now destined. I recommended him, as one of three individuals then in your service, whose respective merits, all eminent in an extraordinary degree, were so equally balanced, that it became a task of difficulty to choose between them—I speak of Mr. Elphinstone, Sir Thomas Munro, and the gallant Officer whose appointment we are now met to celebrate. The selection then made was one rather of circumstances than preference. Sir John Malcolm, I well remember, acquiesced with a generous promptitude in the advancement of his competitors, so worthy of him ; and if he has in consequence been for a while thrown behind them in opportunity of serving you, and still further distinguishing himself, I have no doubt that he will speedily overtake them both in deeds and in renown. (*The right hon. Gentleman sat down amidst loud and repeated cheers.*)

The Hon. CHAIRMAN again rose, and complimented, in terms of warm eulogy, the right hon. President of the Board of Control. From the frequent opportunities which he (the Chairman), standing as he did in connection with the East India Company, had had of becoming acquainted with the right hon. Gentleman's promptitude in answering the correspondence which arose from their mutual situations, he well knew the interest which was entertained by that Gentleman in the affairs of the Company. It was, therefore, with sincere pleasure he rose to propose the 'health of the right hon. Charles Watkins Wynn, the President of the Board of Control for the management of the affairs of India.' (*Cheers.*)

Mr. WYNN rose to return thanks for the approval of his discharge of the duties of President of the Board of Control, conveyed by the Company in the manner they had just drunk his health. The duties which he had to discharge were, it could not be denied, some of them of an inviolable nature, and oftentimes irksome by the dry routine of official business. But, if they were occasionally so, on the other hand, it could not be denied, that it was impossible to peruse, even officially, the despatches sent home to this country, without feeling proud of the name and achievements of a Briton. He congratulated the Company on the appointment of Sir John Malcolm, both for their own sakes and the general advantage; and he felt confident, that in the selection they had made, and which it gave him much pleasure to have been instrumental in bringing about, they would never find reason to repent of their choice. The right hon. Gentleman said, he could not sit down, now that that they had got him on his legs, without proposing the health of their Chairman: a health, in drinking which, he was convinced, all would as heartily join, as he felt pleasure to propose it. Mr. Wynn then proposed the health of 'the hon. Hugh Lyndsay, our worthy Chairman,' which was drunk, with three times three, amid loud applause.

Mr. LYNDSEY, in a brief speech returned thanks, for the honour bestowed on him in the kind notice taken of his name.

The Hon. CHAIRMAN rose shortly, and proposed the health of his Grace the Duke of Wellington, and declared that in doing so, he could not dissociate the name of that illustrious commander from the army which he had conducted so often to victory. He therefore proposed, 'the health of the Duke of Wellington and the British Army;' (*Loud cheers.*)

The Duke of WELLINGTON said. Gentlemen, I beg to return you all my warmest thanks for the honour you have conferred on me. I have always attended the dinners given by this Company with pleasure; but I assure you, on no occasion have I ever felt more sincere satisfaction, than when I came here this evening, and saw assembled around him so many individuals distinguished by rank, authority and station—assembled to congratulate my old brother-soldier, on his appointment to a situation of eminence, one which he has so well deserved, and may he wear it long. (*Hear.*) It is now thirty years since I first became acquainted with my honourable friend, at a time when he served but in a subaltern situation; from that period to the present moment, no event of importance has occurred in the annals of India, whether of a political or military character, with which the name of Sir John Malcolm has not been in some degree associated. The history of his life is but a continued narrative of events, which have proved, in their result, of advantage to that

country. Under all these circumstances, and feeling as I feel towards the gallant General himself, is it astonishing that I should feel pleasure in being here this evening to congratulate my friend on the reward of his services? (*Hear.*) But it is not merely on his own account that I rejoice at his elevation, but still more for the sake of the Company and of the country in which his services will be employed—for it is impossible that such an appointment can have been made without exciting the honourable ambition of his heart, to repay by his services the meed of distinction and confidence you have reposed in him. (*Hear, hear.*)

The HON. CHAIRMAN said, they were honoured that evening with the presence of a learned Prelate, recently appointed to preside over the great diocese of India, and whose eminent piety and Christian zeal well qualified him to undertake a task of so much importance and difficulty. He concluded by proposing, 'the health of Dr. James, the newly appointed Bishop of Calcutta.'

Dr. JAMES returned thanks briefly. He felt he did not merit, nor would he be so arrogant as to lay claim to, the character which the over partiality of the Chairman had bestowed upon him. Whatever deficiency might be found in his ability to fulfil the duties of the Indian Episcopate, he could assure them he would endeavour to fill up by his fervour and zeal. The false and dazzling lights of honour or emolument, which had led so many astray, would, he hoped, be found in his eyes to possess no allurements, to have no attraction. He had entered on the straight path, and from it would not diverge, whether he was met by the jeers or cheers of the world. His object should ever be to promote utility, not to obtain approbation; to merit success, not to deserve applause. (*Hear.*)

The CHAIRMAN next gave 'Lord Amherst, and our Government in Bengal.'

Sir JOHN MALCOLM rose, and requested permission to give a toast. When he looked at the services of his two former competitors in the glorious career of an honourable ambition, he could not but feel how fortunate it had been for the promotion of the welfare of this Company, that their claims had been preferred to his. Their services were better than any eulogium he could confer. It was then with much satisfaction, he proposed the health of 'Sir Thomas Munro, and Mr. Elphinstone.'

The following toasts were subsequently given.

'Sir Archibald Campbell, and the gallant Army lately employed against the Burmese.'

'The City of London, and prosperity to the trade thereof.'

Sir JAMES SHAW, Bart. and Alderman, briefly returned thanks.

'The officers, Civil, Naval and Military, who have distinguished themselves in India.'

This was the last toast, and shortly after (about 11 o'clock) it was drank, the Chairman, accompanied by the Duke of Wellington, Sir John Malcolm, the President of the Board of Trade, the Secretaries for the Foreign and Home Departments, and the rest of his Majesty's Ministers, (with the exception of Mr. Canning, who had previously retired unobserved,) and followed by the rest of the company, left the room.

There was an immense crowd assembled round the doors of the tavern, to behold the departure of the company, and as soon as Mr. Canning's carriage was announced, they commenced cheering, which was continued without intermission until the Right Honourable Gentleman departed.



## DEBATE AT THE HOUSE OF COMMONS.

Mr. FERGUSSON rose to move for the appointment of a select committee to inquire into the state of certain parts of the law in the East Indies. The clamour prevailing in the House rendered the learned gentleman nearly inaudible in the gallery; but we understood him to say, that there were three points to which he particularly wished the committee to direct their attention. The first was the law with respect to landed property in the possession of British subjects in the East Indies, and the liability of such property, in the hands of executors and administrators, to provide for the payment of simple contract debts. There had been a doubt whether landed property in India was real property, or a chattel. The Supreme Court at Bengal had held that it was real property, but with this modification—that it was liable to the payment of simple contract debts. The Chief Justice of that Court had recently upset that modification, and by so doing had spread consternation through the whole settlement of Calcutta. He wished to have the law upon the subject examined by a committee, and afterwards settled, one way or another, by a declaratory bill. The bankrupt law in India would also require their investigation, since its nature and provisions were very differently understood in different parts of India. There was, however, a matter more important than these, to which he wished to call the attention of a committee, as it affected the property and perhaps the life, of every British subject resident within all that space of country lying between the Cape of Good Hope on the one hand, and the Straits of Magellan on the other. In 1726, three courts for the trial of British subjects had been established at Madras, Calcutta, and Bombay. Independently of these courts, the Governor of each Presidency, with his Council, had been made Justices of Oyer and Terminer. The learned gentleman then showed how the power of these courts had been altered and regulated subsequently, and complained, that, as they were now constituted, a man might be tried, convicted, and executed for an offence at Prince of Wales's Island, which would only be a misdemeanor at Calcutta. There was also a point, connected with the three points that he had just mentioned, on which, unless they did something, all that they did upon other points would not be worth the trouble of inquiry. They must decide what was meant by British subjects, subjects of the King, and European British subjects—all of which were terms repeatedly occurring in these acts of Parliament. In one part of India, the parties who acted as jurors were called British subjects, and the parties tried subjects of the King. The committee ought also to inquire into the state of the law affecting the native Christian population of India, which consisted in general of the children of white men by Indian mothers. A Christian, the son of an Englishman, if he committed an offence out of the boundary of Calcutta, must be tried, not by the English, but the Mohammedan law. He believed that the succession of such persons, and also their marriages, must also follow the Mohammedan law. He saw no reason, except in their Christian principles, why such persons might not legally avail themselves of a plurality of wives; and why their illegitimate children might not succeed to a part of their property, as they were entitled to do by Mohammedan law. His object, in bringing forward his present motion, was

not to find fault with the Government of India, which he believed to be wise, paternal, and beneficent towards the Natives, but to have the law modified on the points which he had mentioned, and to have a uniformity of decision established in all parts of India. The learned gentleman concluded by moving—‘That a select committee be appointed to inquire into, and report on, the law relating to landed property belonging to British subjects, in the territories subject to the East India Company; and whether the same be liable, in the hands of administrators or executors, for the payment of simple contract debts; also whether persons, as British subjects, are amenable to the jurisdiction of the courts of law in the East Indies as to real property; and whether the law of England may not be extended to the said territories, with a view to secure uniformity of decision in the said courts.’

Mr. W. WYNN expressed himself hostile to a motion which embraced such an extent and variety of objects. It was introduced at the very close of the session, when it was obviously impossible, if the committee were appointed, that it would be enabled to report on any one of the subjects which were comprised in the motion. But if it had been brought forward at the commencement, instead of the close of the session, still he could not have agreed to it. Amongst other things, the committee was to declare its opinion, ‘whether landed property belonging to British subjects, in the territories subject to the East India Company, was liable, in the hands of administrators or executors, for the payment of simple contract debts.’ This was a question of law—a question for the decision of the law authorities; and the learned gentleman himself had stated that a difference of opinion existed amongst the judges in India on that point. The Chief Justice, it appeared, was of one opinion, and two puisne judges held the same opinion as the learned gentleman. But if the party against whom the decision was given felt himself aggrieved, an appeal to the Privy Council was still open to him. When a question of this kind was actually pending, was it regular to come before Parliament, and to call for the judgment of a committee on the law? There were some points connected with the law which a committee might ascertain, and on which they might decide; but it was not their province to state what the law was. To declare what the law ought to be—to point out how it might be reformed—was a very different thing. With respect to the meaning of the law, as to its operation on landed property, that was a fit subject for the consideration of the courts. As to the criminal law, it was a question of great importance, and it was highly desirable that a greater degree of uniformity should be introduced into it; but he did not think it by any means desirable that a committee of the House of Commons should be called on to effect that object. He should like to see the law altered and simplified, but that, perhaps, would be better effected by individual exertion, than by the labours of a committee.

Mr. FERGUSON contended, that if old laws were to be reformed, or a new system introduced, the business could be more effectually done by a committee or a commission, who might examine witnesses, and investigate the whole of the facts, than by the exertions of a few isolated individuals. He would not, however, press his motion on the House. He should withdraw it. But if he did not find the subject taken up by competent persons, he certainly should renew it. He should not cease, till he saw the administration of justice in India as pure and as perfect as it was at home.

The motion was then withdrawn.

## LAW INTELLIGENCE.

PRIVY COUNCIL, JUNE 23, 1827.

On Saturday the Lords of the Privy Council sat in the Cock-pit to hear appeals. There were present, Lord Harrowby, Lord Bexley, the Master of the Rolls, Sir Gore Ouseley, Mr. Abercrombie, and Mr. Elliot.

The first cause called on, and which occupied the attention of their Lordships the entire day, was the important case of

*The East India Company, Appellants v. Syed Alli and Others, Respondents.*

Before the case was entered upon, Sir Gore Ouseley stated, that as he happened to be in India at the time, and somewhat mixed up with this transaction, he should refrain from taking any part in the business of the day; his attendance there being, indeed, chiefly to gratify his curiosity.

The circumstance of this case, as accurately as we could gather, from the exceedingly voluminous pleadings, are as follow: During the Presidency of Lord Clive, the East India Company effected the conquest, or rather obtained the cession, of the territories of the Nabob of the Carnatic, who, in the first instance, became tributary to them, but where subsequently they exercised entire sovereignty. Upon their taking possession of the country, proclamations by the Governor-General in Council were issued, in which the inhabitants were assured, the more easily to obtain their submission, that their future government should be founded on moderation, justice, and rights—that it should in every respect be in accordance with the law of England; thus indirectly, if not directly, pledging themselves to keep inviolate the rights of private property. It appeared that about 20 years before this event, Wallajaw, the reigning Nabob, had granted a freehold estate, or jaghire, as it is there called, of very considerable value, to a relative named Assim Khan, which jaghire, in common with most other of the lands in the country, was held by the Company, as security for the payment of a revenue of nine lacs of rupees, stipulated by the Nabob to be annually paid into the Treasury at Calcutta. During this period Assim Khan died, leaving several sons, all of whom, by the Mohammedan law, there prevailing, were entitled to an equal share in their father's property, but which they were prevented from inheriting, in consequence of the elder brother, Kouli Muli Khan, having, by virtue of authority he managed to obtain from the East India Company, seized upon and retained the entire jaghire. The younger brothers consequently filed a bill against Kouli in the Supreme Court at Madras, where, after some litigation, it was found necessary to make the Company parties to that bill; and on which, eventually, the Court pronounced a decree in favour of the plaintiffs, thus establishing the younger brothers' right to their respective shares in the property. From this decree the East India Company appealed, first to the Court of Chancery in England, and upon that Court deciding that it had no jurisdiction, to the King in Council. On a former occasion, about two years since, this appeal had been before their Lordships, but it was then dismissed, on the ground that it had not been brought within the stipulated time, six months, from the pronouncing the decree. It having, however, subsequently been discovered that after the decree, other proceedings in the

shape of bills of exception had taken place, and that the appeal was lodged within six months of those proceedings, that defect was decided to have been remedied, and the cause was restored to their Lordships' paper.

The SOLICITOR-GENERAL, with whom was Mr. Sergeant Bosanquet and Mr. Sergeant Spankie, was this day heard at considerable length for the appellants. He contended, that the Supreme Court at Madas could exercise no jurisdiction over the East India Company, who in this matter had acted as an independent sovereign power, and who had acquired, by the conquest of the country of a neighbouring sovereign, an indisputable right to all the property in that country, unless the contrary had been guaranteed to the conquered by special treaty, which here was not the case; and having thus obtained it, they of course possess as clear a right to dispose of it in any way they pleased, and for which they could not be made accountable to any civil tribunal. The Court below could not have the power to enforce their decree, any more than either of our courts could an order they might pronounce, commanding an independent prince to make restitution of the spoils he had gathered in his wars. Matters of such high importance as these could only be arranged by treaty, and consequently this decree must, he submitted, even upon this ground alone, be reversed. He contended further, that the original grant by Wallajaw to the respondent's father, was only *darente bene placito*, and not in fee simple; and consequently as the grantor could at any time resume the grant, so the Company, being placed by their conquest in his shoes, and exercising the same sovereignty, must necessarily enjoy the same power. The learned gentleman concluded a long speech, by submitting to their Lordships that this decree, as far as it affected the Company, must be reversed.

Mr. Sergeant BOSANQUET followed on the same side.

Mr. HORNE and Mr. BROUGHAM, with whom was Dr. Lushington, were heard for the respondents. They contended that by the express words of the Company's charter, they were amenable to the civil institutions of the country; and that they ought to be so, this case abundantly proved. They both, at great length, and with much apparent earnestness, especially Mr. Brougham, entered into a detail of the circumstances of this case, which they pronounced as of almost unheard-of atrocity. Mr. Brougham read the proclamation issued by Lord Clive on the 31st of July, 1801, to which we have above referred, and contended that it contained the most solemn assurance, on the part of the Company, that private rights should be inviolate; and if, continued he, after thus lulling their victims into security, they were to be allowed to seize upon and dispossess them of their property, the Company might make the most of the remaining period of their charter—they might sell their writerships, dispose of their cadetships, and carry on all the traffic they could; for, with their charter, they might be assured their power of oppression would be at an end. If the Court below had no jurisdiction, where, he would ask, were his unhappy clients to obtain redress? The Court of Chancery, in this country, could do them no good. It was true, they might petition Parliament, might get some Hon. Gentleman and some Noble Lord to present their petition, which would doubtless be ordered to lie upon the table; and if that was not considered a sufficient recompense for the loss of 20,000*l.* a year, they

must be unreasonable fellows indeed. The doctrine, as laid down by his Learned Friends, of all the property of the conquered vesting in the conqueror, was the most monstrous he had ever heard, and decidedly contrary to all the modes of modern warfare; and if it was—which he could scarcely credit—the practice of the Honourable Company in the numerous wars in which they had been engaged, the sooner that such a sanguinary power ceased the better; and he, for one, should be most happy to see them before another tribunal.

The MASTER of the ROLLS said he thought it his duty to call the attention of the Learned Counsel to the question before their Lordships. It was, as he understood it—Had the Nabob Wallajaw retained the power of assuming the grant at his pleasure? for if so, his successors must necessarily be invested with a similar power. Perhaps the Learned Counsel would see the propriety of being more moderate in his epithets.

Mr. BROUGHAM conceived that all his arguments bore upon that position. He used the epithets only upon the supposition that the conduct of the Company had been such as described. If it was not, they, of course, did not apply: if it was, he had only to regret that language would not furnish him with any sufficiently strong to express his feelings upon the subject. He then contended, at considerable length, and with much force, that private property did not, and ought not, to pass to the conqueror; that the grant made by Wallajaw to Assim was in perpetuity, and that, by the express provision of the charter granted to the Company by the 13th of the late King, they were clearly amenable to the jurisdiction of the Court at Madras.

The SOLICITOR-GENERAL having replied, strangers were ordered to withdraw, and their Lordships continued in deliberation for a considerable time. On our re-admission,

The MASTER of the ROLLS pronounced judgment. Their Lordships were clearly of opinion, that the Court below could not, under the circumstances of this case, exercise any jurisdiction. The charter certainly rendered the Company, in some instances, amenable to the civil authorities, but that was as a commercial company, and not as a sovereign power, in which latter capacity they had here acted. His Honour added, that after what had passed, he thought it right to say, that the Company, in their Lordships' opinion, was not deserving of the slightest censure. They had not taken the jaghire for themselves, they had bestowed it upon the eldest son; and although that disposition was not in conformity with the Mohammedan laws, their Lordships thought they were more entitled to praise than blame. Their judgment, therefore, was, that the decree pronounced by the Court below be reversed.

Mr. HORNE begged to know the extent of their Lordships' judgment. Kouli Muli Khan had not appealed, and, therefore, he presumed, the decree below was good against him, and in that case it would effect all the purposes his client sought.

The MASTER of the ROLLS said, that was a singular fact, and required some deliberation. After some discussion, however, he added, that such must clearly be the case; Kouli must conform to that decree,—a circumstance, he must say, their Lordships were far from regretting.

After some further discussion about costs, upon which their Lordships refused to make any order, the Council broke up.

### HIGH COURT OF ADMIRALTY.

(Before the Right Honourable Lord Stowell.)

#### CAPTURE OF JAVA.

This was a case of prize-money, which was fully argued in a former Term.

The Court now proceeded to deliver its judgment. The question arose out of a difference as to the manner in which the booty was distributed that had been captured by the naval and military forces engaged in the conquest of the Isle of Java, under Admiral Stopford and General Achmuty. The property, it appeared, was properly collected and realised, and the proceeds transmitted to England. Two distributions were made according to a rule which had been acted upon for many years, and which was to the effect, that the agents of the two services should receive in proportion to the relative numbers employed in the expedition.

In the present case the military force engaged was the greatest, and the army agent received the largest proportion of the prize-money. When the third distribution came to be made, however, the commercial house, in possession of the property, divided it by a new rule under the sanction of Lord Ellenborough's opinion, which was, that whatever may be the diversity of numbers of each service engaged in an enterprise, the booty should be equally distributed. That opinion was acted upon by this Court in a question arising upon the booty captured at Tarragona, but the Court expressly observed, when laying down the rule in that case, that it desired to be understood as protecting itself against ripping up former distributions, which had taken place under the old rule.

Notwithstanding that declaration, however, Mr. England, the agent of the naval forces engaged in the expedition, now called upon the Court to say, whether justice would be done to the navy, if he did not receive a proportion equivalent to that received by the other party in the two first distributions? The Court considered itself bound to adhere to the caution previously expressed, and not to rip up former distributions. The two distributions made under the old rule must be considered former distributions. They were made long antecedent to the new rule, and when made were universally approved of and acquiesced in by the parties interested. A long time had elapsed, and many questions were generated between the two first distributions and the last. The two first distributions were properly made, and though a new rule had been laid down upon more mature consideration, that was an after-thought, and could not affect former transactions.

The Court, under all the circumstances, did not think it imperative to disturb the former distributions, and therefore dismissed the application made by the agent for the navy, but dismissed the case without costs, as it was a very proper question for the opinion of the Court.

## DEBATE AT THE EAST INDIA HOUSE.

*Wednesday, June 20, 1827.*

THE minutes of last Court having been read,

The CHAIRMAN, (the Hon. Hugh Lindsay,) acquainted the Court, that certain papers, which had been presented to Parliament, would be laid before the Proprietors. The following were the papers: the annual account of the revenues and charges of the East India Company; copies and extracts of all communications relative to the burning of Hindoo widows, from the 5th of July 1825, to the present time, together with an account of the number of suttees from 1823, and a list of superannuations granted to the servants of the Company.

Mr. JACKSON wished to know whether, in that list of superannuations, there were any coming under the description of extra clerks?

The CHAIRMAN stated that there were only regular servants in that list, and no extra clerks, though superannuations of that description were in the habit of being granted.

A letter from Mr. Bosanquet was then read, returning thanks for the honour which had been conferred on him, by the resolution which had been adopted by the Court of Proprietors.

After the by-laws relative to the General Election of Directors had been read,

The CHAIRMAN stated, the Court of Proprietors had come to the resolution that the amount of the dividend on the capital stock of the Company, from the 5th of January to the 5th of July, be 5½ per cent., and he moved that the resolution of the Court of Directors be adopted, which was accordingly done.

## BY-LAWS.

The CHAIRMAN moved that the Annual Report from the Committee of By-laws be read.

The Report set forth, that the Committee had proceeded to the discharge of their duty, and were satisfied that the by-laws had been duly observed and executed; and that in the discharge of their remaining duty they did not propose to suggest any addition to the present laws.

Mr. GAHAGAN was sorry that the Committee of By-laws had come to that decision. He was sure that any person, looking at those by-laws, and at recent events, would be convinced that there was a great deal to amend. He wished the Committee had employed themselves in discovering distinctly what were the qualifications necessary, in civil and military officers, to be elected Directors. Great doubts at present existed on the subject. He was sure that it was the unanimous opinion that a military officer, who had resigned his situation, was not qualified to be elected a Director for two years afterwards; and it was also a public understanding, that although a maritime officer was qualified to be elected a Director, he was, however, liable to be removed. It was not stated that he was virtually incompetent to be elected, but that he was liable to be removed. He therefore suggested, that, in common sense and common decency, the by-laws required the attention of the Committee, with a view to amend them.

The names of the gentlemen, who had formed the Committee, were then read.

Mr. JACKSON wished to give notice, that unless the subject mentioned by the hon. Proprietor should be taken up by the Committee of By-laws, he should feel it to be his duty to bring forward a motion respecting it. For certainly the Committee, having taken so complete a bird's-eye view of the question, had very much omitted to do that for which they had been appointed.

Captain MAXFIELD wished to know how many of the Committee had attended at their meetings?

The CHAIRMAN stated that no report had been made.

Dr. GILCHRIST had last year said something upon this subject. He had attempted to get a return of the attendance of the Members. Had that suggestion been followed up, the Chairman would have now an opportunity of stating at once, that such and such individuals had not attended the Committee.

Mr. JACKSON stated, that the clerk to the Committee of By-laws was also one

of the Company's clerks. The list, therefore, of the attendance of the members of the Committee could be produced, and instead of calling the Chairman to account, who was in no wise responsible, a motion ought to be made for the production of the list.

The CHAIRMAN stated, that it was competent in the General Court to call upon the Committee for that account, but the Court of Directors had no such power.

Mr. WIGRAM said, that the Committee might choose any one for their secretary they thought fit, and if they choose one of the Company's clerks, the Court of Directors had not, on that account, any control over him. He stated this because a learned Proprietor seemed to think that the Directors had the power to call upon the clerk of the Committee of By-laws to produce the list of attendance of the Members.

Mr. JACKSON explained.

The CHAIRMAN then stated, that the By-laws provided that fifteen gentlemen should be annually chosen to form a committee to sit upon the By-laws. He now had to move that Humphrey Howorth be continued a Member of the Committee.

Dr. GILCHRIST understood that this gentleman had not attended the Committee of By-laws for some time. So at least he had been informed, but he did not state it positively. He understood that this gentleman had unfortunately been prevented by indisposition from attending to his duties. He was a gentleman well known for the liberality of his sentiments, and would be, if he could attend, of great use to the Committee of By-laws. He lamented that sickness, and no other indisposition, had prevented that regular attendance which he would have given had he had it in his power. If his information should prove to be correct, he should propose that some other individual of this Court do supply the place of Mr. Howorth.

Mr. DIXON asked whether the gentleman deserved to be rejected only for sickness?

Mr. TWISING had not been in the Court when this conversation had commenced, but he would be obliged to the Chairman to inform him, whether it was correct for a member of the Committee to offer his opinions.

Mr. JACKSON was sure the hon. Proprietor had not been in Court, or he would have embraced the opportunity of answering a question which had been asked respecting the attendance of the Committee.

The CHAIRMAN explained to the hon. Proprietor, that some observations had been made respecting the absence of Mr. Howorth from the Committee. That gentleman was so well known, and his services were so eminent in the particular situation he held in the Committee that we considered, it would not be a just reason for leaving him out of the Committee, because he was labouring under sickness.

Mr. TWISING was ready to second the motion, if it had not been seconded already. He certainly, if he had been in Court when allusion was made to Mr. Howorth, should have thought it his duty, however humble an advocate he might be, to offer his testimony to the services of that gentleman. It had been uniformly regretted by the Committee that illness should have kept him from attending, but no inconvenience had arisen from that circumstance, because, when any question occurred, upon which it was thought desirous to have his opinion, such question had been referred to him, the Committee had had his opinion upon it, with all the clearness and perspicuity that distinguished it. He was anxious of bearing testimony to the regret of the Committee, that illness should have deprived them of the attendance of that gentleman.

Dr. GILCHRIST rose to explain. He had cast no imputations on Mr. Howorth. On the contrary, he had said that he was a man of liberal sentiments, and that he knew how to execute his duties.

Mr. HUME had yesterday a communication with Mr. Howorth, and he could state that the mental abilities of that gentleman were as vigorous at present as at any other time they had been; and any person who had observed his attentive regard to the general interests of the Company would be sorry that his present



illness should deprive the Company of his services. He had, however, no hesitation in saying, that if there should appear no hopes of the recovery of Mr. Howorth, or of his performing those duties which were expected, that gentleman would himself tender his resignation. But he did think that it was not for any member of the Committee to say, that the absence of the Chairman had not been felt, as that would only prove that the members of the Committee might be diminished, or that the Committee might be done away with entirely. The hon. Proprietor concluded by repeating, that Mr. Howorth still retained his mental abilities as fresh as ever, and that he did not despair of being able to resume the duties of his office.

Mr. TWINING had been misunderstood. He never had said, that the Chairman's absence was not felt; on the contrary, his absence was frequently regretted; but any question of importance was referred to him for the benefit of his opinion.

The motion, that Mr. Humphrey Howorth continue a member of the Committee, was then put and carried unanimously.

On the motion, that George Cummins, Esq. be continued a member of the Committee of By-laws,

Mr. HUME stated, that in agreeing to the nomination this year, he did not preclude himself from objecting to it on a future occasion, as he thought that every office should be efficiently filled. He then asked whether an account of the attendance of the Committee was kept; and he thought it would be satisfactory to the Court if the Chairman would state, on the average, what was the proportion of members that had attended.

The CHAIRMAN stated, that if such a report was desired it must be desired by the whole Court; but no such motion having been made, no return had been laid before the Court. With respect to what had fallen from the hon. Proprietor, concerning Mr. Cummins, he stated, that whatever were his infirmities, they might not have prevented him from attending to the discharge of his duties.

Mr. Cummins was then unanimously re-elected, as were every one of the members of the old Committee, with the exception of Mr. Henry Smith, deceased, to supply whose place, Mr. James Hallet was elected.

Mr. HALLET briefly returned thanks. He stated, that being associated by the vote of the Court, with gentlemen of so much respectability, he would prove himself worthy of their choice in the discharge of his duties.

Mr. JACKSON gave notice that he would move for an account of the attendance of the Committee of By-laws, for the last two years.

Dr. GILCHRIST stated, that one gentleman of the Committee had in a manner promised that such a statement should be ready. Mr. Twining had made that statement, and he had sat down in the assurance that the Court would have an account of which members had attended, and which had not.

Mr. TWINING was not aware that he had been so requested, and that he had made any promise. He did recollect that the Hon. Proprietor had mentioned something about attendance, but he thought that the allusion was to the Court of Directors. All that he stated was, that if there were any doubt existing on a particular point, and those doubts were stated to the Committee of By-laws, they would be immediately and carefully investigated, and an account would be given of that investigation.

Capt. MAXFIELD understood that there was no objection to answer questions; the subject had been discussed at the last Court.

The CHAIRMAN thought it was quite evident that the business of the Court should be proceeded in.

General THORNTON stated that questions had been put and answered, and the Court had not been delayed one minute.

Mr. JACKSON had certainly very important questions to ask, and he hoped that the Court would not consider it as misspent time, to wait till the proceedings were over, because the questions he had intended to ask the Chairman this day, greatly affected the interest and honour of the Proprietors.

GRANT TO MAJOR-GENERAL SIR ARCHIBALD CAMPBELL.

The CHAIRMAN acquainted the Court, that it was made special for the purpose

of laying before the Proprietors an unanimous Resolution of the Court of Directors of the 23d ult., granting to Major-General Sir A. Campbell, G. C. B., a pension of 1,000*l.* per annum on the grounds therein stated.

The report on which the resolution was founded was then read. It set forth, that the Court, anxious to mark its high sense of the skill and gallantry displayed by Sir A. Campbell in his operations against the Burmese, as well as of his forbearance in entering into negotiations with that power, when he had pushed the enemy to extremities, resolved to grant him a pension of 1,000*l.* per annum, to commence from the date of the treaty of peace, subject to the approbation of the general Court of Proprietors, and of the Commissioners for managing the affairs of India.

The CHAIRMAN, in rising to move this resolution, thought it unnecessary for him to say almost one word on the distinguished services of this honourable officer. His conduct had carried our forces triumphantly through one of the most difficult and perilous wars ever undertaken; prosecuted, as it was, in a country quite unknown. He had so conducted that war as to lead it to a happy consummation. He must say, too, that that this gallant commander, when in the sight of the capital, which he was most desirous of possessing, had the humanity to take into consideration the benefits of the public service, and to stop at the very moment, when he might have carried the town by force of arms. He, therefore, moved that this Court do approve of the Resolutions of the Court of Directors of the 23d of May last, granting a pension of 1,000*l.* per annum to Sir A. Campbell.

Mr. PATTISON (the Deputy Chairman) rose to second the motion. He stated that it was altogether unnecessary for him to add a single word to the statement of the Hon. Chairman. There was one circumstance which he would state; namely, that this gallant officer was a King's officer. But the Court was not now to institute an inquiry into the qualities of the two services. The only matter of consideration was the goodness and intrinsic value of the service performed, and the excellent conduct of the man, who had been honoured by the King's command. He decidedly approved of this motion, and hoped that it would meet with the unanimous assent of the Court.

Mr. HUME was happy to concur in the vote proposed, but it was very seldom that this Court had the good fortune of manifesting to the army in India the great value of their services. It was quite impossible, in a country held by the sword, not to be convinced of the great importance, not only of keeping the army in a state of efficiency, but upon all occasions testifying their sense of the value of the services of that army. He was happy, for one, in being able to concur in this vote, and he quite agreed in what had fallen from the hon. Director of the impropriety of making any distinctions between the two services. It is well known that there formerly existed great distinction in rank and pay between the services, but they were now placed on an equal footing with regard to pay and rank. It would certainly be very improper to make the least distinction by this grant, because it was made to a King's officer, as it would be recollected, that the last time this Court had an opportunity to offer a similar testimony of its regard, the officer who received that testimony was a King's officer. He would take this opportunity of saying, that he did not think that sufficient attention had been paid to the complaints of our army in India. There had of late been more representations from different individuals who seemed to think themselves very much neglected. They seemed to think that all the orders of the Court of Directors had for their object the reducing their allowances and rank. It was impossible for any one to say, whether their complaints were well founded or not, but he hoped that the Court appreciated the value and importance of the army. He hoped that the Court would not be guided by any narrow feelings, or that they might depend upon it that such views would be destructive to the interests of the Company. It was of great importance, he thought, to have the army satisfied. He believed that there had been too great a disposition to appoint King's officers to supersede those in the Company in situations which they were not so well qualified to fill. It would be invidious to single out instances, but he could find them, where, during the late war, examples had occurred of some of the older

officers being superseded by much younger men, who were not so well qualified to fill the situations, either by a knowledge of the language, or of the habits of the Natives, and who were by no means men of long standing and tried abilities, It would be to single out instances, unless they were to go into the general question; and he took this opportunity of saying, that while he approved of this vote, he hoped the Court would discourage any preference being given to the King's officers over those of the Company. It was well known that the King's officers might change their service, but the Company's officers were tied to India, confined to that country to exercise their talents and abilities, and it did appear very hard that they should have causes of complaint. The subject, he conceived, demanded the attention of the Court of Directors.

Sir JOHN DOYLE trusted that it would not be supposed that he rose for the purpose of objecting to any measure which the Court of Directors had thought proper to bring forward as a mark of approbation of the distinguished services of the gallant Officer in question. On the contrary, the principle of rewarding those, from whose exertions such benefits resulted, as in the present instance, was perfectly in unison with his feelings and sentiments. It was a principle as politically wise as it was morally just. He had not the good fortune to be known personally to this gallant Officer, but he did know him by the report of his eminent services and indefatigable zeal, which had proved successful under circumstances the most discouraging, and surrounded by difficulties of no common magnitude, which could only be surmounted by a condensation of all those qualities which formed the essence of a military character. Though he felt that the grant of a pension to this gallant Officer was well deserved, and would give additional *éclat* to his merits, still he confessed he should have preferred, as a more military reward, that a share should have been assigned to him in the disposition of that prize-money which had been accumulated by his skill and bravery.

Dr. GILCHRIST completely agreed in every expression which had been uttered on this motion, but more particularly in the observations made by the Deputy Chairman, that by whatever part of the troops services might be performed, whether by the King's or the Company's officers, if those services were efficient, they ought to be properly rewarded.

The CHAIRMAN, in reference to what had fallen from an hon. Proprietor, took the liberty of saying, that he was not aware those reductions which he had mentioned as having taken place in the allowances of the Indian army. In regard to what had fallen from him respecting the selection made by the different commanders in India, he could only hope that that practice did not exist. With respect to the prize-money, there would be a question soon put; which would show that the prize-money would be disposed in a way satisfactory to the gallant General.

Mr. DIXON thought no man could charge the India Company with any undue partiality in rewarding the services of their officers; and in doing so they had acted in a noble and princely manner.

Mr. R. JACKSON, in expressing his approbation of the motion, observed, that it was not necessary for him to take up many minutes of their time; because, when the proposition of a vote of thanks to General Campbell was brought forward on a former occasion, he had travelled, as it were, through every league of his campaign, through all the vicissitudes of pestilence, famine, and military peril; showing, as he went along, how much the Company were indebted to his foresight, vigilance, and courage. Cordially uniting in that vote of thanks, he should now, with equal cordiality, vote for the proposed grant. The motion was agreed to unanimously.

#### AUDITING OF MARINE ACCOUNTS.

The CHAIRMAN informed the Court, that it was further made special, to take into consideration the mode of auditing accounts at the Marine Boards in India.

Captain MAXFIELD.—Mr. Chairman, considering that an expenditure of twenty millions, or rather a revenue to that extent, is disposed of annually in India, the mode of auditing the accounts, and conducting the business of the different Boards,

are subjects of such deep importance that I trust no apology is necessary for advertising to them.

That one general and approved system of audit should be observed in passing of public accounts, is, I believe, admitted and observed in this country, and why it is not, and should not be observed in India, it remains for you, Sir, to explain.

That the mode of auditing the accounts of any persons or public officers, should be subject to vary at the caprice of individuals, is liable to the most obvious and powerful objections, and no elevation of rank or presumed high character should warrant the auditing authorities in departing from the general principles of examining and auditing the public accounts; and the same scale should, I conceive, be applied to one party as well as to another, let them be either civil, military, or marine. I, of course, Sir, mean to except secret service money, as well as certain political disbursements; I allude more particularly, Sir, to supplies in the commercial department, &c. &c. and of naval and military stores.

The salaries of the members of the Marine Board are, the president, per month, 4583 rupees, or, per annum, 68744, the members, per month, have 3750 rupees, or, per annum, 56254, exclusive of a secretary and very large establishment.

The existence of Boards for the conduct of business must be either beneficial or injurious to the public interest, as they are the most expensive appendages of the Government; and unless they work well, may be considered a dead weight upon the revenue, for the sake of patronage only.

I shall be perhaps told, that the creation of Boards in India was taken from the existence of the Boards here; but that will be no sufficient reason, Sir, unless it is shown that in practice they entirely agree, and that I am sure will not be attempted; they differ no less in the amount of their labours and dispatch of business, than they do in the amount of their salaries; the contrast, however, may be deemed invidious, although edifying; I therefore afford you, Sir, the opportunity of making it, reserving to myself the liberty of analysing and applying it.

Your Boards in India are considered branches of the Government authority; and as such, meet with a degree of support and protection from Government, which is not extended to the Boards in this country, and, in fact, scarcely any act of the Boards in India would render them subject to that censure which would be readily applied here when merited.

As many gentlemen here may be unaware how the business is done at the Boards, it may be requisite to state it.

With most of the Boards one day in the week is appointed as Board day, when the members, attended by the Secretary for the transaction of business, meet probably at half-past ten, and adjourn at about three; if the members differ in opinion, they minute and counter-minute, which minutes are in many cases handed up to Government to decide on the points at issue, and much delay, embarrassment, and inconvenience occur in consequence.

Business, during the other days of the week, being a *tropical climate*, is transacted by the Secretary, who circulates a box containing letters received, and to be answered, on which each member offers any remarks, which are again circulated, and not unfrequently long minutes and discussions between opposing members take place, from which much delay inevitably ensues; and indeed, if a member is desirous, by delay, of defeating any measure, he often has the means by detaining the box to minute, and I have known such box detained several days, and by such delay only a point was carried, as the time which had elapsed rendered the proposed arrangement impossible.

I have long had some acquaintance with the evils resulting from the existence of some of your Boards, but I was particularly struck by a remark once made in my presence by one of the oldest, ablest, and most experienced of your civil servants.

Mr. Petrie, when Governor of Prince of Wales's Island, observed, that if the utmost ingenuity had been exerted to devise a plan to retard public business, create discord, embarrass the Government, and swell out the records to an extent which rendered the detection of fallacies next to impossible, it was the creation

of Boards; and the conduct of your Marine Board at Calcutta, when he made the remark, verified its truth and accuracy.

To save time, Sir, I shall at once advert to its labours at that time; if I hear, Sir, you can put me right should the premises be denied, I shall move for papers to prove the fact, although it must be notoriously known in this House, and therefore, unnecessary to go back to it.

The circumstance I allude to, Sir, was the audit and examination of the bills of Messrs. Kyd and Co., builders to the Hon. Company at Calcutta, after the death of that amiable and inestimable member of your civil service, Mr. Spake, who was long President of the Marine Board, and the Board which sounded at his death fell to work to minute and counter-minute, while auditing the builders bills; and, Sir, volumes were written in lieu of auditing, and monstrous as it must appear, Sir, you know it to be a fact, that no less than from five to seven years were so occupied, and yet, Sir, the completion of audit was not affected.

During this time, Sir, the Government were constantly referred to, nor did the reference, I believe, stop there; I think you were also referred to upon the subject, Sir. Such delay, however injurious to the public, proved more injurious perhaps to the unfortunate builder, and it literally made a wreck of his own flourishing concern; and indeed, Sir, such delay must be considered sufficient to ruin any concern whatever, which had only the fair and honest profits of trade to support it.

The Supreme Government, Sir, at length either grew weary of the tardy progress of the Marine Board, or perhaps felt for the cruel situation of the wretched builder, and at once took the audit of the builder's accounts then in arrears, and subjected them to the decision and audit of arbitrators.

The Government appointed the Marine Surveyor-General of India as auditor and arbitrator, no doubt supposing that accounts which had occupied one of those Boards for years required mathematical solution, or probably involved some question in the occult sciences.

The master-builder, Sir, appointed a plain intelligent gentleman who was a member of one of the mercantile houses at Calcutta.

In six short weeks, Sir, did those gentlemen audit and pass those accounts which occupied your Marine Board for a series of years.

I shall offer no other comment upon it, Sir, than to say, that if justice had been done the builders, some compensation would have been made them for the loss, vexation, and injury, they sustained, in consequence, for so many years.

Having now, Sir, introduced the Marine Board to this Court, I beg to assure you I shall not tire you by adducing every instance I could bring forward, but shall content myself with those necessary to a fair illustration of its labours to enable this Court to judge of its general merits.

With respect to the auditing of accounts, the ordinary practice was for those officers or persons who submitted those accounts through such department, to send them in the first instance to the Secretary to the Marine Board; he forwarded them to the Marine paymaster, who was the examiner as well as the auditor as to market prices and sales, &c. allowed; and his mode of audit was governed by instructions framed by the Board's orders to him for such purposes.

The paymaster then, in most cases, examined the accounts submitted, compared the prices charged with the market sales, checked off the accounts to the market rates; and submitting a report to the Board, returned the accounts; the Board then ordered the accounts to be checked agreeably to the paymaster's suggestion, and passed them back to the paymaster for payment.

If one believed, Sir, in most cases the paymaster checked the accounts, it must appear strange, Sir, why he did not do so in all, or to use a coarse homely adage, why, what was sauce for the goose, was not sauce for the gander; but, Sir, the Marine Board had prohibited his doing so; their order\* to such effect will, I trust, be found in your records, and I shall move for its production.

It happened, Sir, that the practice of checking the prices charged in bills by the rates, was deemed unnecessary when the Board intimated Government to transfer

\* Date 3d June 1818.

the supply of certain stores from the master-builder to the import warehouse-keeper; he was a civil servant, Sir, and notwithstanding the high respect I entertain and ever shall, Sir, for the gentlemen of the civil service, I must say I think their accounts should have been audited by the same scale and in the same manner as those of the master-builder, of the captains commanding your cruisers, and of all others submitted to the Marine paymaster; and I do think, Sir, not one of the members of the Bengal Civil Service would feel complimented by an exception passed in their favour.

I dare say, Sir, the Board meant merely to save the paymaster unnecessary trouble, but I do think it was bad taste.

Now, Sir, the import warehouse-keeper, whose bills for articles supplied from the bazars were thus exempted by the Board from the ordinary form of audit, was Mr. John Trotter.

Considering Mr. Trotter's nautical ignorance, or unacquaintance with the quality and price of various naval stores supplied by him, it follows, as a matter of course, that his Native servants purchased the articles, or, in other words, as his agents made the supplies; and it ought to have followed equally as a matter of course, that the bill for supplies so made ought to have been subjected to the same audit as those of all other bills in the marine departments; and when we remember that the accidental supplies made by other persons were but as drops to the ocean, compared to those made by Mr. Trotter, it must appear rather remarkable that such audit was confined to the minor, and not to the major disbursements.

I shall but illustrate the labours of the Marine Board, and enable this Court to judge of its merits, by stating how the trifling bills for the supply of vegetables, vinegar, or lime-juice, made to your cruisers at different ports, were audited, and to what unqualified deductions the pittance of pay allowed to the officers of your Marine was subjected to by the fiat of this Board, as a specimen of audit.

Your cruisers, in touching at different ports, are allowed a trifling supply of vegetables, lime-juice, vinegar, and candles, the amount of which, for six or seven months, may probably average two or three hundred rupees, or 28*l.* or 30*l.* sterling; the bill of such supply, accompanied by vouchers, is submitted by the commander or purser for payment when the ship's accounts are settled, and the crew paid; by the order of the Marine Board, a market price is assumed and applied, and the bills are reduced as they think proper, or as the pay-master suggests, before they are paid: and as the disbursement was made at different ports, the commander is subjected to the loss, which is consequently deducted from his pay.

Such a mode of auditing a bill, if it can be called an audit, is at best arbitrary, and liable to numerous objections, unless the supplies were made at the port where the audit is made, and no person could then object to their being regulated by the market rates; but when made at distant and foreign ports, where the supplies were perhaps obtained with difficulty, such bills, in justice, ought to have been audited in the same manner as those of the Royal Navy.

I mention this, Sir, merely to illustrate the Board's vigilance, and I shall now read the copy of a letter from the Marine Pay-master to the Marine Board, with reference to the audit of Mr. Trotter's Bills; the audit of which had been, by the Board's orders of June 3*d*, 1818, confined to a mere comparison of the original bills with the account submitted, and without any regard to the market-rates. The letter from the Paymaster is dated August 3*d*, 1821.

*To H. S. Supton and J. P. Lockins, Esqrs., and Members of the Marine Board.*

GENTLEMEN,—In acknowledging the receipt of your secretary's letter, dated the 26*th* ultimo, conveying to me the Board's orders directing me to audit Mr. Trotter's Bills for the supplies of stores purchased by him from the Bazar, I beg to be informed, whether I am to audit them merely as before, by comparing the quantities supplied and charged with the original bills and indents for the quantity demanded, or whether I am to remark on the accordance of the prices, compared with the rates in the Bazar, or market sales.

I am induced to request the Board's orders on these points, in consequence of

the Marine Board's orders to my predecessor, under date the 3d of June, 1818, in which the auditing Mr. Trotter's bills was confined to comparing his charges with the prices of the several articles in the original bills; therefore I could not, without deviating from the path prescribed by the Board, have remarked in any way on the accordance, or otherwise, of the prices charged in Mr. Trotter's bills with the actual Bazar prices; consequently, the whole of the bills, as far as they regard market rates, have been unaudited ever since the 3d of June, 1818.

'I beg to explain to the Board, that the master-builder's bill, as well as all bills from other persons, with the exception of Mr. Trotter's, have always been checked agreeably to the Bazar rates when audited by me.—'I am, Gentlemen, your most obedient servant,

(Signed) 'E. S. ELLIS, Marine Paymaster.'

'Fort-William, Marine Paymaster's office,  
the 3d of August, 1821.'

[Here follows the Board's reply.]

'To E. S. Ellis, Esq., Marine Paymaster.

'SIR,—I am directed by the Marine Board to acknowledge the receipt of your letter, dated the 3d instant, and, in reply, to desire that you will continue, for the present, to audit Mr. Trotter's bills in the way you have been accustomed to do, or, in other words, that you will merely compare the quantities of articles charged for by the Naval Storekeeper, with the quantities mentioned in the original bills or receipts of the persons from whom they were purchased. Mr. Trotter has been desired to transmit on all occasions the last-mentioned documents to you, with his accounts of supplies purchased for the Board.—I am, Sir, your most obedient servant,

(Signed) 'H. SARGENT, Secretary.'

'Marine Board, 8th of August, 1821.'

Now, Sir, if Mr. Trotter's bills for supplies were in accordance with the market price, why should not his bills have been audited by the market rates as well as those of every other person? And, as it ought to be known that Mr. Trotter charged a commission of 5 per cent. on all articles to be provided, exclusive of charges, amounting to about  $2\frac{1}{2}$  per cent. more, and as all other persons were not allowed any commission, it would seem extraordinary that his bills should be made an exception from such salutary rule.

In the abstract of bills submitted to the Marine Paymaster, the account of supplies furnished by Mr. Trotter for the Marine Department, in September, 1822, is as follows:

	Rs.			As. Pcs.		
'The account said to be (cost of articles supplied) is				8018	10	6
'The charges on ditto, as made by Mr. Trotter	206	4	8	607	04	3
'Mr. Trotter's commission	400	15	7			
				8615	14	9

Hence it is evident, Sir, an augmentation of more than  $7\frac{1}{2}$  per cent. takes place on prices not governed or regulated by the market rates.

I have, Sir, copies of the bills from your records, and could exhibit them in a most striking point of view, Sir; but I refrain for the present.

'On the 18th of May, 1821, Mr. Trotter addressed a letter to the Marine Board, in which he stated, that he allowed his Deewan to receive a deestoor of half an anna in the rupee, or more than 3 per cent., from the persons of whom articles were purchased on the public account; and the Board, through their Secretary, replied to him on the 23rd of May, 1821. Those letters, Sir, are most important; but, from tenderness, I will not adduce them, as I conceive the object I have in view may be attained without them, in which case it may be unnecessary.

I could adduce fifty other instances illustrative of the labours of the Marine Board, but I shall reserve them for the present.

I remember well, Sir, the unmeasured remarks which were made on a Noble Marquis, now no more, when the Hyderabad loan was under consideration; I

neither admired, or am I disposed to follow such courses; at the same time, Sir, I trust this Court will not think too lightly of the mode of auditing the accounts, but more particularly those in which the natives of India are employed as the intermediate agents for making such supply.

It may be also worth remarking, that the accounts of the Java expedition are not yet adjusted, while our charter is drawing towards its termination.

Having now adduced a specimen of the Board's labour in its auditing capacity, let us advert to it as a channel of communication with Government on nautical subjects.

It is natural to conclude, from the designation of it as a *Marine Board*, that it possessed some nautical knowledge or information which might render its aid available to Government, in cases where such information was indispensable to promote the public service; but experience would induce me to think the Board was formed rather for the purpose of creating some good appointments than any benefits which could be expected to accrue from a board so constituted.

It is enough to say the board is composed entirely of civil servants, whose nautical knowledge must have been acquired on the voyage to India as writers; and, however apt they may have been to form Indian Lords of the Admiralty, it is not reasonable to conclude a board so constituted would be found to exist but in the service of this Company.

In 1818, it having been brought to the notice of Government, (by Captain Hamilton, who then commanded the *Dunira*,) that one of your chartered ships, the *Bombay Castle*, had been nearly lost in the Straits of Sunda by striking on a sunken rock, it was deemed desirable that the exact position of such danger should be ascertained, and as two surveying ships were then proceeding from Calcutta with Sir Stamford Raffles to form a settlement in the Straits of Malacca, it offered a favourable opportunity for so doing.

I commanded the surveying ships then about to sail; and a desire to promote your interests, as well as the interests of navigation in general, induced me personally to urge, and at length persuade, Captain Hamilton to bring it to the notice of Government; and little, indeed, Sir, could I have expected that it should have given birth to the letter which was addressed by the Supreme Government to the Governor-General of the Netherlands Government at Batavia.

It may be here asked, why did not I, instead of suggesting to Captain Hamilton to bring the existence of such danger to the notice of Government, do so myself?

I had two reasons for doing so; in the first place, Captain Hamilton was the chief-mate of the *Bombay Castle*, when she struck on the shoal, and was therefore good evidence of its having existence.

In the next, I must have done so through the medium of the Marine Board, and experience had taught me the inability of addressing them often than absolute necessity compelled me, while I had every reason to believe the object I had in view was more likely to be attained by the measure I adopted.

The following letters will exhibit what was done in consequence, and every person who has ever seen a chart of the Straits of Sunda, will at once say, what it was the duty of the Marine Board to have done on the occasion, unless it had been believed that our Government seriously and deliberately intended to awaken and excite suspicion and distrust, as to the objects for which the surveying ships were sent into the Dutch waters.

*'To Captain Wm. Maxfield, &c. &c.*

**SIR:**—I have the orders of the Marine Board to transmit you herewith the accompanying dispatch, addressed to the Commissioner General of the Netherlands Government at Batavia, on the subject of the projected survey in the Straits of Sanda, which you are desired to deliver accordingly, in the event of the survey in question being undertaken. Should circumstances however arise to postpone, or prevent the execution of that service, you will be pleased to withhold the delivery of that letter, which is in that case to be returned to the Chief Secretary to this Government.

A copy of the said dispatch is herewith annexed for your information and guid-



and, as also copy of a letter addressed to the Board by Mr. Chief Secretary Adam, in pursuance of which I am directed to furnish you with particular instructions, to avoid any unnecessary communications with the Native Powers, conducted with the Dutch, in the vicinity of the scene of your surveying operations. You are especially desired not to enter on any examination of either coast, nor to explore Samoua or Keyser's Bay, nor Lampung Bay.

I am, Sir, your most obedient humble Servant,

(Signed)

E. S. PORTBURY,

Secretary Marine Board.

Fort William, 1st Dec. 1818.

To their Excellencies, Cornelis Theodore Clout, Baron Van des Capellen, and Admiral A. A. Bugekes, Commissioner General of his Majesty the King of the Netherlands, &c. &c. &c. Batavia.

HONOURABLE SIRS:—It has been represented to us to be extremely desirable, for the general interest of navigation and science, as well as for the convenience of commerce with China and the Eastern seas, that the exact position and extent of the shoal in the Straits of Sunda, called, 'Thwart-the-Way, should be distinctly ascertained, and accurately laid down in the charts; and we have availed ourselves of an opportunity now presented of accomplishing that object.

The ships *Nerechus* and *Minta*, belonging to the Surveying Establishment of this Government, have been accordingly ordered on the service in question, the execution of which is confided to Captain Maxfield, the Deputy Marine Surveyor-General.

We have deemed it proper to announce the measures to your Excellencies, and to solicit your assistance to Captain Maxfield in the execution of a duty interesting to both nations, should circumstances render it necessary for him to seek it.

We have, &c.

(Signed)

HASTINGS,

G. DOWDESWELL,

J. STUART,

C. M. RICHARDS.

Fort William,

28th Nov. 1818.

(True Copy.)

(Signed)

J. ADAM, Chief Secretary to Government.

(Signed)

E. S. PORTBURY, Secretary to the Marine Board.

Such, Sir, was the letters from the Supreme Government in India, submitted to the commissioners of the King of the Netherlands at Batavia, for the purpose of explaining the object of the two cruisers sent into the Straits of Sunda, or rather to prevent the Dutch Government from supposing they were holding communication with the Malay chiefs, then in rebellion, and opposed to the Dutch Government.

That such letter should have had the desired effect, it was at least required that the object for which the two cruisers were sent should appear probable and likely; and if it had stated, that the survey of the shoal or sunken rock, on which the *Bombay* had struck was the cause of their being sent, the views of our Government would have been explained without the chance of misconception.

But, Sir, the stating to the Dutch Government, that the cruisers were sent to the Dutch waters, to ascertain the exact position and extent of the shoal in the Straits of Sunda, called *Thwart-the-Way*, could not fail to excite those very suppositions which the British Government were earnestly desirous of preventing.

The Dutch Government, Sir, well knew, and must have believed, the British Government equally well acquainted with the fact, that *Thwart-the-Way*, instead of a shoal, whose position and extent were doubtful, was a well known island of considerable elevation, several miles in extent, its exact position well determined, and probably better known than any other part of the Straits of Sunda.

Under such circumstances, (as the Dutch Government were probably unaware of the composition of the Marine Board at Calcutta,) it is not unreasonable to expect they formed conclusions not very creditable to our Government, particularly when it is known that the two cruisers so sent proceeded, in the first instance, with Sir Stamford Raffles, to establish a settlement at Singapore, where they rode

guard for several months before they proceeded to the Straits of China; consequently the letter apprising the Dutch Government of their being so employed in their waters, was of a date eight or nine months prior to its delivery, while the presence and proceedings of those cruisers in the Eastern Seas was long before known to the Dutch Government.

I knew not to whose maritime knowledge the British Government were indebted for the composition of such letter; but the Marine Board at least ought to have had sufficient sagacity to have averted its consequences, by affording Government the requisite information on the subject. The settlement formed at Singapore led to much discussion with the Dutch Government, which has been at length terminated happily; but its successful issue must be entirely attributed to the diplomatic skill and talent of the present Prime Minister, rather than to the validity of our treaty with the *soi-disant* Sultan of Johore, or the ingenious explanatory letter of the Supreme Government, which most likely contributed in no small degree to segment the difficulties of such negotiation.

So much for the Marine Board, and now for it, Sir, under the designation of the Board of Customs, Salt, and Opium; for, to use a phrase of Sir John Pulteney, Sir, 'It was doubly charged with dignity.'

In the month of August 1820, a letter was sent from the Board to the Governor-General, of which I shall read the extracts, as follows:

Having every day reason to regret the want of a building suited to the different purposes of the Board, and apprehending, from the work not having been yet commenced upon, that some circumstances must have occurred to interfere with the arrangement on this point, which Government resolved to adopt on the 25th of January last, we beg to suggest, for the consideration of your Excellency in Council, the following mode of accomplishing the object, not altogether without some additional expence, but without the necessity of subjecting the naval store-keeper to the alleged inconvenience of vacating a part of the ground at present attached to his department; we mean, by the occupation of the house and premises in Clive-street which belonged to the late Captain Baytha, and which are now the property of Messrs. Larkins and Trotter of the Civil Service.

The premises in question are very eligibly situated, immediately between the two custom-houses, with spacious godowns attached, capable of holding the Company's opium investments; the house has at present only two stories; the proprietors, however, engage to build a third, and a verandah to the southward, and to put it and the godowns in a thorough and complete state of repair, provided Government will take them on a lease for the remainder of the existing Charter, at a monthly rent of sicca rupees eight hundred, and will be at the expence of keeping them in repair during that period. The premises, when the additional ground shall be taken in, will embrace three begahs and eight chutacks of ground, in a part of the town where property of this kind is, from its situation and vicinity to the custom-houses and the river, very valuable.

If we are correctly informed, the building proposed to be erected for the accommodation of this department, and the godowns, which, we understand, it will in consequence be necessary to construct for the use of the naval store-keeper's office, will cost Government about 100,000 rupees; and if to this be added the value of the ground on which the house and grounds first mentioned are proposed to be built, and which would realize 35,000 rupees at auction, Government will find the expence but little exceed what was originally contemplated; while we have no hesitation in saying, that, in point of accommodation, the house and godowns in Clive-street are infinitely to be preferred to those proposed to be built as a part of the marine yard. We have, &c.

Board of Customs, Salt, and Opium, the 15th of August 1820.

(Signed) J. P. LARKINS.

Ten days after the foregoing letter was written, or on the 25th of August, Mr. J. P. Larkins, as the Board of Salt and Opium, again addressed Government, and begged they would not entertain the proposition made in his letter of the 15th of August.

Now, Sir, I think it was not very likely Government would entertain the proposition made by Mr. J. P. Larkins.

I have no observation or remarks to make on the terms of the tender; I dare say it was reasonable, or otherwise. I care nothing about it; but, as the objections which may be urged are so obvious and numerous, I deem it necessary to adduce them.

I do think, Sir, such a mode of tendering private houses, or other property, by persons holding high official situations in your Governments, not a very general practice; and I cannot think, Sir, you would either permit or approve of it, yet, Sir, there is a practice which I have known happen in several instances, and it ought to be discouraged.

It is that of having, for Government purposes and offices, the houses of gentlemen in the Service, or the allowing a secretary, or other officers, to occupy his own house, and to draw the allowance made by Government for office rent.

Thus a change of persons in the different departments often removes the offices from one end of Calcutta to another, and is productive of inconvenience and delay in the transaction of public business, as I have often experienced.

Such tenders also of private property are liable to misconstruction, and the letter addressed by Mr. J. P. Larkins, on the subject of the house of Messrs. Larkins and Trotter, induced the marine pay-master to make some commentaries, in a letter to the Government on the subject, which led to his suspension until he had withdrawn his letter, and apologized to Mr. Larkins for having done so.

It is probable, Sir, that the letter from the Board of Customs, Salt, and Opium, tendering the house of Messrs. Larkins and Trotter, was signed by all the Members of the Board, and that the want of other names to it was an error of the clerk who copied it; but, Sir, I am certain it was not an error of mine in making the copy; but the production of it from your records will put it beyond a doubt, and it is desirable to avoid such a mistake.

Now, Sir, when the first orders were issued to the pay-master to refrain from auditing Mr. Trotter's bills by the market rates, under date 3d June 1818, the Members of the Marine Board were, I believe, Mr. George Udny, Mr. J. P. Larkins, and Commodore John Hayes; but, Sir, I have authority for saying that Commodore Hayes was no party in framing such order, and that he was either absent, or did not approve and sign the rough draft or minutes of it; the production of the Board's proceedings of that date will clear up such points.

When the paymaster was again instructed that he was not to audit Mr. Trotter's bill, with reference to the market rates, under date the 8th of August 1821, the Members of the Marine Board were Mr. Swinton and Mr. J. P. Larkins; but the order was sent through the secretary, and signed H. Sargent; and, therefore, it does not appear how many or how few members were present, but the production of the Board's proceedings will illustrate it.

I now, Sir, beg to explain, having frequently referred to the public records, how I obtained access to them, and it is necessary I should do so to avoid misconception.

When I determined to return to this country, I contemplated the writing and publishing of a work describing the different branches of the service in India, with the degree of efficiency they had obtained at different periods, and the defects, &c., which operated to prevent further improvement. I thought such work might prove useful when the renewal of your Charter comes under discussion. I waited on the Marquis of Hastings, explained to him my object, and asked his authority to have access to the public records; his Lordship, with that manliness and candour which marked his character, said, 'Sir, you shall have permission; no obstacles shall be thrown in your way.' Such, Sir, is the authority I had for consulting the records.

Now, Sir, I beg distinctly to disclaim any intention of reflecting personally on the conduct or motives of any of the Members of the Boards I have alluded to; their measures were public, and are therefore fit subjects for discussion; and although I have referred to the accounts and bills of Mr. Trotter, I must disclaim all intention of casting any imputation also on him; the transactions alluded to were of a public nature, and cannot admit of such interpretation.

Perhaps, Sir, the simple view I have taken of the practice of the Boards, may

be materially altered by the explanations it may be in your power, Sir, to afford; in which case I shall be as ready to express my conviction of its excellence, as I am at present to question it.

I therefore beg to move, that the following papers may be laid before the Court:—

1. The Marine Board's letter to the Marine Paymaster, under date, Fort William, June 3, 1818, prohibiting his auditing Mr. Trotter's bills, agreeably to the market rates, with the Board's minutes on the subject.

2. The Marine Paymaster's letter to the Marine Board, on the subject of auditing Mr. Trotter's bills, dated, Fort William, Aug. 3, 1821.

3. The Marine Board's reply to the foregoing letter, dated Fort William, 8th of August, 1821, with the Board's minutes,

4. The Board of Customs, Salt, and Opium, letter to the Governor-General in Council, dated, Fort William, Aug. 15, 1820, suggesting the eligibility of engaging the house of Messrs. Larkins and Trotter, for the remainder of the charter, at a monthly rent of 800 rupees.

5. Any regulations or orders the Court of Directors may have ever issued, as to the auditing of the accounts of public officers or persons making supplies on account, and the commission so allowed on such disbursements.

6. Mr. Trotter's letter to the Marine, dated 18th of May, 1821.

7. The Board's reply through their Secretary, dated May 23, 1821.

Col. STANHOPE seconded the motion.

The CHAIRMAN was of opinion, that the hon. and gallant Officer had not made out any ground for the production of those papers. With respect to the five per cent. allowed to Mr. Trotter, that was, of course, taken into consideration in apportioning that gentleman's salary. He saw no reason for his entertaining this motion, and he should meet it with a direct negative.

Mr. LARKINS hoped, that as he was not in the habit of addressing the Court, he might meet with the indulgence of the Proprietors. He stated, that as soon as he read the notice of the motion of the hon. Proprietor, to bring the conduct of the Boards of India under the consideration of the Court, he was satisfied that the individual Board of which he had been a member was aimed at. In his suspicion he had not been disappointed; but he was not, however, prepared to follow the hon. Proprietor through all the details of his long and elaborate speech, as many of the topics upon which he had dwelt had occurred no less than fifteen years ago. In 1811, when he joined the Board with which he had been connected, he must confess that many unpleasant circumstances had occurred, which had the effect of impeding the public duty of the Board. The gentlemen on the other side of the bar knew where those unpleasant circumstances had originated, and they led to the removal of the only officer in that Board. From that time the duties of the Board had never been impeded by the occurrence of any unpleasant circumstances, and Government never had occasion to find the slightest fault with its proceedings. The gallant Officer, who had brought forward the present motion, had complained of the conduct of the Marine Board in not auditing the bill of the master-builder and stated that in consequence of that neglect, the master-builder had been an injured man. Now, he felt it only due to himself and his colleagues to state that such could not have been the case. A monthly allowance was made to the master-builder in the following manner: If, in the course of a month, he sent in a bill to the amount of 1000 rupees, he received in advance 900, and the rest was not paid until the bill was audited; so that if he was a loser at all, it could only be to a very small amount. He conceived that the gallant Officer was in justice bound to state, for he well knew the fact, that no complaint had ever been made with respect to the supply of marine stores. He then carried us to the Straits of Sunda, and complained of our not sending out a proper survey to Capt. Hamilton. He then adverts to the Board of Salt and Opium in Calcutta, and comes to the conclusion, that as we knew nothing of maritime affairs, therefore we knew nothing of mercantile matters.

The hon. Proprietor proceeded to say, that he was at a loss to account for the angry feeling which seemed to exist in the mind of the gallant Officer with re-

spect to himself. The gallant Officer had been in the constant habit of communication with the Board for eight or nine years, and he would ask him, whether during that time any thing like angry feeling had prevailed between him and the members of the Board individually or collectively? With respect to the letters which the gallant Officer had referred to, he thought he could tell how he had obtained copies of them; but he would leave the gallant Officer himself to inform the Court upon that point. He thought it unfair that charges should be brought against the Board in that Court. The Board was responsible to the Government, and not to the Court of Proprietors. (*'No, no,' from Dr. Gilchrist.*)

Mr. S. DIXON hoped that the hon. Proprietor, who was addressing the Court in his own justification, would be allowed to speak without interruption. (*Hear.*)

Mr. LARKINS said, he had little more to submit to the Court. He appealed to those under whom he had acted for thirty years, as to the integrity of his conduct; and he believed that he stood sufficiently well in the opinion of gentlemen behind the bar to render any further vindication of himself unnecessary. (*Cheers.*)

Dr. GILCHRIST begged to observe, that his interruption of the hon. Proprietor who had just concluded, proceeded from no desire to stop him in his justification; he only meant to express his dissent from the opinion expressed by the hon. Proprietor, that he was not responsible to that Court. He (Dr. G.) thought that the authority of that Court was paramount in all matters connected with the Government of India. He trusted that the Court would acquit his gallant Friend from the charge of having brought this subject forward from motives of angry feelings. He had a better opinion of the courage and honesty of his gallant Friend, than to suppose that he would lie in wait for a number of years, until he thought a proper opportunity had arrived for commencing his attack. As to the manner in which his gallant Friend had obtained his information, that, it appeared to him, did not concern the Court. The question for the Court to consider, was, whether the gallant Officer stated facts? If he had not stated facts, the papers might be produced to disprove his assertions. He thought that Mr. Larkins himself would be pleased at the production of the papers, since they would afford him the means of vindicating his conduct. If the production of the papers could, in the smallest degree, elucidate the case, they ought to be brought forward. (*Hear.*) The hon. Proprietor (Mr. Larkins) might live to see the day, when he would be happy to have it in his power to state, that the papers had been produced. If a certain degree of ignorance prevailed in the Marine Boards in India, it was absolutely necessary that the Court should be accurately informed upon the points. They could not remedy what was passed, but they had it in their power to improve the service for the future. It had been stated that an improper mode of auditing the accounts had crept into the Boards. Gentlemen who were interested in having property valued in this or that manner, were the persons who possessed the power of putting their fiat on the accounts. If such practices prevailed; if the civil servants of the Company were placed in situations in which their own private interests clashed with the duty to the Company, it became that Court immediately to correct such a system, by removing the temptation to improper conduct, and thus placing the service on an honourable footing. (*Hear.*)

Mr. LARKINS said he had not the least objection to the production of the papers.

Mr. LOWNDES was of opinion that abuses existed in the constitution of the Marine Board which required correction. The hon. Proprietor (Mr. Larkins) had himself acknowledged that they were ignorant.

Captain MARSHALL.—As neither evidence nor arguments have been adduced to disprove any of the data I have adverted to, or the observations I have made, my reply will be necessarily confined to the admissions of the hon. Chairman, and the hon. Proprietor on the floor; and this Court and the public will form their own conclusions.

The hon. CHAIRMAN, although he states his intention to oppose the motion for papers, does not attempt in any way to disprove the fact, that different modes of credit were observed towards different persons, or that such distinction arose from

direct and positive orders issued by the Marine Board ; but while he passes over such a strong fact, or appears to have forgot it, he remembers that the party whose accounts were exempt from the usual and proper form of audit, was allowed a commission of five per cent. on all supplies made by him on account of Government ; and he therefore defends the allowance of such commission, under a supposition, and certainly under a supposition only, that such person was under paid, and that such commission might be considered equivalent to pay ; and as such, it was granted.

Now, Sir, I do not quarrel with the commission allowed this Gentleman ; I merely stated that he was allowed commission, while all other persons were denied it ; and yet that his bills were not subjected to the usual audit, by reference to the market rates, by which they undoubtedly ought to have been, in the same way and manner as the bill of every other person.

It is the exempting his bills and accounts from audit, that I complain of ; that is the point on which I rest, and which fact the Chairman cannot deny, and therefore he appears not to notice it. It is, however, the most important consideration ; while the five per cent. commission is of little worth, it might have been good economy to have allowed the person making such supply even ten per cent. commission, taking care that his bills for such supplies were audited agreeably to the market rates, in preference to allowing five, and passing such bills, without any reference to the prices charged ; the theory is too obvious to need comment.

With regard to the utter ignorance or want of information on nautical subjects evinced by the Marine Board, as exhibited in the absurd letters addressed by the Governor-General in Council to the Dutch Government, the Chairman is staidly silent ; and such silence is a full admission of his knowledge of their utter incompetency.

The hon. Proprietor on the floor, although he neither adduces any arguments or facts to confute my assertion, or to shake the value of the evidence I have adduced, has made some admission, for which I am thankful, and on which I shall offer a few remarks.

The hon. Proprietor states, that when he read the notice of a motion to consider of the mode in which accounts were passed in India, and business transacted at the different Boards, he had a presentiment that such motion referred to the Board of which he was a member. Such idea was quite natural, and therefore it is to be concluded he was prepared to expect it, and to meet such objections as might be adduced.

How far the hon. Gentleman's presentiment has contributed to enable him to defend the Board, this Court and the public will determine ; but the hon. Proprietor seems to think it strange, that I should have confined my remarks and evidence to the Marine and the Board of Customs, Salt, and Opium ; and seems to think my observations and evidence ought to have been equally distributed amongst all the other Boards in India.

My answer is plain and short ; I well knew and understood, from frequent communication with the Marine Board, its practice and usage, while I had little or no acquaintance with many of the other Boards : I speak of what I know, and not of what I am ignorant. It might, no doubt, be more grateful to them to whom I am opposed, that I should adduce subjects of which I have no knowledge ; but, I beg, to assure them, that I shall do no such thing. I will never move a question in this Court, or elsewhere, until I am master of the subject, and in the possession of evidence to prove the facts, and to make out my case.

The mode of audit, however, as detailed in the Board letter, admitting of no explanation, and speaking for itself, the hon. Proprietor leaves it unnoticed ; and perhaps it would have been as judicious, if he left the nautical knowledge of the Board, which had been questioned and illustrated by the letter of the Supreme Government to the Dutch Government at Batavia, in the same undisturbed predicaments.

But, Sir, with a frankness and candour for which I give him every credit, he at once avows and admits all I wish to establish ; viz. that this Nautical Board, or Eastern Board of Admiralty, was composed entirely of Civilians, who neither

possessed, or pretended to possess, any knowledge of maritime affairs 'whatever'; but, Sir, what a predicament that places you in! it is at once telling the world, Sir, that you have created a Board, called a Marine Board, of persons inadequate and incompetent to perform the duties; thus the revenues of India are improperly applied, while the conduct of your marine affairs approves an object of secondary consideration, to the mere contrivance of some good appointments.

The hon. Proprietor, in speaking of the granting of dastooiry to the servants of public officers purchasing supplies as a general practice in India, and on which, from the proneness of the Natives to take it, some way or other not easily prevented, said—

'Well, Sir, suppose it is not easily prevented, from the proneness of the Natives to receive it, is that any reason that we should encourage the propensity, and render European aid to such practice? I am disposed to deny that it is a general practice; and, Sir, if one of your servants can presume to authorize his servants receiving a three per cent. fee from the party of whom goods are purchased for fees to-day, we see no reason why some others should not allow 30 per cent. to be received to-morrow; and I see every inducement in such case, for the Natives so situated, to endeavour to obtain it.'

Such arguments, in fact, Sir, taken to the full extent, amount to neither more nor less than that the Natives of India are so prone to roguery that it is of no use to endeavour to prevent it. Now, Sir, such observations alone form the powerful reasons why the accounts I have described as unaudited by market rates, ought to have been most unquestionably subject to the most rigid system of audit.

On the subject of the House tendered by the Board of Salt and Opium as the House of Messrs. Larkins and Trotter, of your civil service, for a public officer, the hon. Proprietor observes, that he had made the tender, and considered it a fair one; that the property was since sold for 200,000 rupees; that he still held a fourth of it; and that, as a proof of its value, it was let at present to your Government at 900 rupees per month, instead of 800, as originally tendered.

Now, Sir, I never questioned the fairness of the tender; I care nothing about it; I knew the house was since let to Government at 900 per month, but I purposely avoided mentioning it; and as the hon. Proprietor has stated it, I must be allowed to offer a remark upon it.

I believe, Sir, the house was let to your Government, before it was sold, at 900 rupees per month; and being so let, establishes its value beyond a doubt.

My objection was not directed against this particular house, but it was against the acts of Government, allowing many of the public functionaries in India to occupy their own houses, and to draw the allowance for office rent, as it has the effect of producing much inconvenience and delay in the transaction of business, as I have often experienced, since a change of persons in the different departments removes the public offices constantly from one end of Calcutta to the other; and in cases of great emergency, much inconvenience results from it, while there are other powerful reasons that I could urge against it.

The hon. Proprietor has expressed surprise that I should submit a motion against the practice of the Marine Board, under whose authority I served for many years, considering that during the whole of that period I had not incurred the censure of the Board, or had any disputes with them; and that as I always experienced politeness and attention from the Board, he is at a loss to know why I should so be actuated.

The hon. Proprietor admitted as to my never having had any disputes, or cause of personal dissatisfaction, with the Board, but proves my motives, and answers the question. I am actuated solely, Sir, on public grounds, and a desire to promote the good of the public service; I wish to see every branch of the public service efficient; and, Sir, I consider the welfare of India, no less than the safety of your Empire, to depend upon the efficiency of every branch of your service, while the auditing the accounts can never be considered a subject of minor importance, not only as it regards the public expenditure, but the claims of this Company to the confidence of His Majesty's Government. With respect to the hon. Proprietor who was a member of the Board, I have no hesitation in saying,

that I on every occasion experienced the utmost politeness and attention from him whenever I had communications with him; and I trust that he will, therefore, perceive that my conduct on this occasion has been founded upon public grounds alone, and that it is to the formation of the Board I object, and not to the members.

Mr. LARKINS begged to supply an omission in his former observation. It was a well known fact, that the Natives would take *dutrooy* in spite of every effort to prevent them.

The CHAIRMAN said, that in auditing the accounts the market price of the day was the rule of guidance. The Boards in India were, to say the least of them, equally expeditious with the Boards of this country in auditing accounts. The military accounts were generally audited before they were paid. It was impossible for that Court to enter into the minute details of the mode of auditing marine accounts, without occupying a greater portion of time than could conveniently be devoted to such a subject. He believed that the gallant Officer had no other object in view than to promote the good of the service in bringing the motion forward, but at the same time it was one which, in his opinion, the Court could not entertain.

Capt. MAXFIELD.—As the hon. Chairman has proceeded, agreeably to the usage of the Chair, to eulogize the Company and its general management in the audit of accounts, and states that all accounts in India are audited before they are passed, I cannot refrain from observing, that such remark would have had better effect if he would undertake to prove it, or disprove what I have stated.

I have adverted to accounts passed, but in my estimation unaudited, and have adduced the public orders of the Boards directing them to be passed; the Chairman cannot deny the existence of such orders, but is content to jump at once over them, and say that the Indian accounts are admirably well audited, and indeed that the military accounts are all audited before they are paid.

It is no doubt ingenious to refer to the military accounts, which I have never questioned, and which I believe are subjected to a most rigid audit. *It was civil accounts I referred to;* but even with regard to military accounts, the Chairman must be misinformed, as from the very nature of the service the military accounts are necessarily paid in the first instance, and then audited; indeed, it cannot be otherwise, and the army would be literally paralysed if such were not the practice, and I am only surprised the hon. Chairman should be so little acquainted with the subject.

The motion was then put and negatived.

#### ELECTION OF DIRECTORS.

Dr. GILCHRIST rose to call the attention of the Court to the abuses which existed in the present mode of electing Directors of the Company's affairs, and observed that he would endeavour to be as concise as possible. He would not remark with any degree of severity upon the persons who practised the existing abuses, because it was not of individuals, but the system, of which he complained. The influence and advantage which were derived from the practice of those abuses were so amazing, that were an angel to come down from heaven, he could hardly be expected to resign them. If the existing by-laws were considered too severe and restrictive, in God's name let them be expunged; but whilst they remained part of the present code, he must protest against suffering them to be set at nought, both as to letter and spirit, regularly every year. In the present day, when mal-administration in the higher departments of the public service was disappearing before the exertions of extraordinary intellect, he would be happy if the Directors would follow so noble an example, and themselves correct the abuses which had crept into the system of election, and attend more to the interests of the great body of the Company than of their own individual selves. (The learned Doctor was proceeding to allude in terms of approbation to the recent change in the administration, when he was called to order by Mr. LOWNDEN, who requested him to confine his observations to the question before the Court). He then contended that the formation of the House



List, and the recommendation of the Directors, that the Proprietors should vote for the candidates named in it, was an infraction of the by-law which declared, 'That if any member of this Company shall, by menaces or promises, collusive transfer or transfers of stock, by any fee, present, reward, or remuneration, under the plea of defraying travelling expenses, *or under any other plea or pretence whatsoever*, directly or indirectly, obtain or endeavour to obtain any vote for the election of himself or any other to be a Director, &c." he shall be disqualified for holding any office in the Company. The Directors, instead of breaking this law, ought to be the very persons to uphold it, and yet they annually put forth an advertisement, dated from the India House, and carrying with it every mark of official authority, recommending the election of certain individuals as Directors. (*Hear.*) Having alluded to the publication of advertisements under the authority of the Court of Directors, he begged leave to read a letter, which he had received on this subject from an anonymous friend. It was as follows:—

‘ March 30th, 1827.’

‘ SIR :—Gathering, from what passed at the India House to-day, that it is the practice of the Court of Directors to put the Proprietors to the expense of publishing advertisements and printed circular letters, as well as balloting lists, in favour of what is technically called the House Lists, it is the purpose of this communication to suggest to you, as being a candidate, that you should apply to the Court of Directors to grant you similar and equal advantages ; and if denied, to demand by what right the public funds of the East India Company are thus prostituted to a job, to serve themselves and uphold a system of self-election, and consequent corruption. Let me, moreover, entreat you not to be deterred from the disinterested and laudable exertions you are engaged in, to benefit your own country as well as the East Indies, by any species of opposition which may be marshalled against you. I remain, Sir, your sincere well-wisher.—AN OLD PROPRIETOR OF INDIA STOCK, AND A FRIEND TO FAIR PLAY.’

He had no occasion to complain of any want of civility to him on the day of election, when he was a candidate for the honour of a seat in the Direction. He, in fact, received nothing but politeness from all parties, and he trusted that he conducted himself in the same spirit on his part. He was proud to reflect, that upon the occasion in question he obtained 40 independent votes. He was opposed to 30 other candidates, who formed a Joint Stock Company of votes. Yet, after all, their number of votes did not exceed 600, whereas, if each candidate had received 40 votes, as he (Dr. G.) had, it would have amounted to 1,200. (*Hear.*) Under these circumstances he could not consider his defeat as inglorious. The learned Proprietor concluded with moving, ‘That this Court of Proprietors do recommend to the Court of Directors, to take the longer continuance of the House List into their early and deliberate consideration, that this apparent breach of our own by-laws may be avoided in future, as a practice derogatory to their honourable rank as Directors, and in many ways inconsistent with the common weal of the East India Company, or the general interests of the Proprietors of East India Stock, independent of the pernicious effects which the present system of self-election may yet have on the welfare of British India, and on the renewal of the Company’s Charter connected with that vast Empire.’

Mr. R. JACKSON next addressed the Court, but in so confused a manner that we could not clearly understand his object. He seemed disposed to consider the practice, of which the learned mover complained, an infraction of the by-law, and yet he declared himself unable to vote for the motion. He then proceeded to give a short sketch of the improvements which had been effected by the Committee on the Bye-laws. It was owing to their exertions, directed by Mr. Howorth, that the disgraceful practices of treating and paying for travelling expenses were put an end to. The Committee wished also to get rid of the House List system ; but Mr. Howorth said, “ We have already done much ; let us not, by attempting to do more at the present moment, lose all that we have done.” The learned Proprietor concluded by wishing it might not be understood that he approved of the practice of nomination because he would not vote for the motion.

The CHAIRMAN said, it was not correct to call the List of persons recommended as candidates 'the House List.' The only thing which could authorize the application of that term, was the circumstance of its being drawn up in the India House. It was not, however, signed in the Court of Directors. It was signed by the Directors in their character of Proprietors of East India Stock. He might be allowed to ask, what was the custom of other Proprietors? They did not in large bodies to nominate a candidate, as they had a perfect right to do. But he thought it very hard that the Directors should be denied the same privilege of recommending gentlemen whom they believed to be eminently qualified for the office of Director. The practice of recommending individual candidates had long been abolished. The last occasion, he believed, on which it had been observed, was in the case of Mr. Twining, the father of the present Proprietor.

Mr. R. JACKSON observed, that the excuse which the hon. Chairman had felt himself compelled to make, namely, that the Directors signed the List in their character of Proprietors, was in itself a condemnation of the system.

Mr. LOWNDES declared himself the enemy of all extensive reformations, because in his opinion they led to revolution, and for that reason he opposed the introduction of the freedom of the press in India.

Mr. CARRUTHERS did not consider the formation of the House List an infringement of the By-laws, and would therefore oppose the motion.

Dr. GILCHRIST said, he had only been anxious to afford the Court an opportunity of expressing their opinions. He hoped what had passed would have a good effect on the conduct of the Directors, and therefore begged leave to withdraw his motion.

Mr. TWINING said, that he had on a former occasion stated that, in his opinion, the practice of nominating was not in contravention of the by-laws. From the conversation which he had had with other members of the Committee of by-laws, that opinion seemed to coincide with theirs. The Committee, however, would take the question into special consideration whenever it should be submitted to them, or perhaps they would do it of their own accord.

Sir C. FORBES said, that though the formation of the House List might not be a technical breach of the by-laws, it might fairly be considered a violation of their spirit. At all events, it was 'a custom more honoured in the breach than the observance.' The hon. Chairman said that the Directors recommended the gentlemen named in the House List in their character of Proprietors; but it was clear that the candidates themselves looked at the matter in a different point of view, for in their advertisements they described themselves as being recommended by the Court of Directors. (*Hear, hear.*) He thought the practice might safely be abandoned, for he did not believe that any man once placed in the honourable office of Director (if he deserved his elevation) ran the smallest risk of not being re-elected. (*Hear.*) A strong ex-Director would require no assistance, and to a weak one it would be of little service. He was disinclined to any hasty measures. It was easy to commence reforms, but it was difficult to know the point at which to stop.

The motion was then withdrawn.

#### PATRONAGE OF THE DIRECTORS.

Col. STANNOP said, he rose for the purpose of proving, that the Court of Directors were in the actual possession of half a million's worth of annual patronage, and that the exigencies of the state required that this patronage should be publicly sold; first, to put down the monopoly of place; secondly, to prevent its corrupting influence; and, thirdly, to promote economy, without which, with a national debt of 897,000,000*l.*, there must inevitably be a national bankruptcy. He was not so ignorant of the springs of human action as to suppose he could induce the Court of Directors to come to a resolution to sacrifice their best interests. Such an attempt would resemble the conduct of the pious enthusiast who journeyed to Rome to convert the Pope to Protestantism. The Court must be aware that the great objection to Mr. Fox's India bill was on account of patronage—that patronage which, in the words of Mr. Dundas, was sufficient to

corrupt both houses of parliament. This fact must be known to every man who had read the modern history of his country. That he might state it correctly, he would quote it from the work of the ablest servant, indeed he might say, the prime-minister of the Company. In Mr. Mill's work (vol. vi. p. 13) was the following passage: 'Mr. Dundas declared it as his old, and after much time and examination, his present and confirmed opinion, that if the patronage of India were added to the other sources of influence of the Crown, it would be sufficient to secure to the Crown a majority in both houses of Parliament, and thus to destroy the substance of the constitution through the medium of its forms.' It was patronage in the manner it operated with respect to Mr. Fox's bill which produced one of the most memorable epochs in the then history of Europe. That bill drove the Whigs from power, and thus enabled Pitt to carry on a long and dangerous war against revolutionary France. Thus was this country plunged into debt to such an extent that in the records of the history of the world there is nothing at all comparable to it. In a word, it was that bill which produced the battle of Waterloo, and the 897,000,000*l.* of debt which this country owed. Napoleon used to say, that Pitt had taxed France to the extent of 1,500,000 of francs, and raised it by Cossacks; and that he had laid a tax on England to the extent of 700,000,000 of francs, and raised it through the means of a subservient parliament. He would now proceed to prove that the patronage of the Company was worth annually half a million of money. He would consider writerships as worth 5000*l.* each; cadet-ships appointment and assistant-surgeons' appointments as worth 1000*l.* each. He observed the hon. Chairman wince when he spoke of writerships being worth 5000*l.* each, but he did not state this lightly. When he made assertions, he was in the habit of following them up by proof. He said they were worth 5000*l.* for this reason, that they had frequently been sold for that sum. He might refer to the remarkable case which Mr. Maddocks brought before parliament, when he offered to prove that a writership had been exchanged for a seat in the House of Commons. Lord Castlereagh would not allow proof of the fact to be offered, saying, that such practices were 'as notorious as the sun at noonday.' This was certainly an honest avowal, but he confessed he admired more the sentiments of the individual who said that such a declaration would have made our forefathers start with indignation. When the nature of the appointment was considered, it was evident that it must be worth 5000*l.* The civil servants lived most sumptuously, kept a number of servants, horses, and carriages. After ten years service, they could, by means of a civil fund as it was called, proceed to England for three years on leave of absence, with a salary of 500*l.* per annum; and after 22 years service they retired permanently with a pension of 1000*l.* a-year. Therefore he thought the Chairman had reason to wince when he stated that these appointments were worth 5000*l.* each.

He came next to Chaplains' appointments. They received much higher pay than persons of the same description in this country, and after a period they obtained a pension of 365*l.* per annum. He valued these appointments at 1000*l.* each. With respect to officers in the Company's service, there was no doubt that their appointments would sell in the market for 1000*l.*, for they received twice as much pay as officers in the King's service, and after 22 years service they were entitled to a pension equal to the full pay of the King's service. The first commissions in the Company's service, namely, those of cornets and ensigns, would sell in the market for from 500*l.* to 1200*l.* The second best would sell for from 700*l.* to 1700*l.*; the third best for from 1800*l.* to 3500*l.*, and the fourth best for from 3500*l.* to 9000*l.* In fact, these commissions were generally sold a third more than he had stated. No man, then, could doubt that the commissions were worth 1000*l.* each. The surgeons in the Company's service were in his opinion but ill requited, compared with other departments; still their appointments were worth 1000*l.*, and that price could, he was sure, be obtained for them. He would now read a paper which would make the Chairman wince; it was a calculation of the value of the appointments in the gift of the Court of Directors, and which was founded on official documents, to which he had obtained access through the kindness of the Chairman. Taking writerships as worth 1000*l.*, cadetships 1000*l.*,

surgeons appointments 1000*l.*, and chaplains appointments 1000*l.*, he would go on to show that each of the 24 directors is in possession of patronage which would sell in the public market for about five times as much as the President of the United States received for his services, and about twice as much as had been demanded and reluctantly granted to the Duke of Clarence, the heir apparent to the throne. The value of the patronage possessed by each director was 22,583*l.*

The gallant officer then read the following statement of the number of appointments filled up in the service of the Company in the five years commencing in 1821.

Appointments made by the Company's Directors.		
year.		money worth.
1821.	44 Writerships .....	£220,000
	361 Cadetships.....	361,000
	56 Surgeons .....	56,000
	6 Chaplains .....	6,000
	<b>Total .....</b>	<b>£643,000</b>
1822.	41 Writerships .....	205,000
	158 Cadetships.....	158,000
	28 Surgeons .....	28,000
	10 Chaplains .....	10,000
	<b>Total .....</b>	<b>£401,000</b>
1823.	24 Writerships .....	120,000
	351 Cadetships.....	351,000
	27 Surgeons .....	27,000
	7 Chaplains .....	7,000
	<b>Total .....</b>	<b>£505,000</b>
1824.	35 Writerships .....	175,000
	285 Cadetships.....	285,000
	28 Surgeons .....	28,000
	11 Chaplains .....	11,000
	<b>Total .....</b>	<b>£499,000</b>
1825.	42 Writerships .....	210,000
	403 Cadetships.....	403,000
	44 Surgeons .....	44,000
	5 Chaplains .....	5,000
	<b>Total .....</b>	<b>£662,000</b>
<b>Total amount of appointments for 5 years</b>		<b>2,710,000</b>
<b>Average yearly value of appointments....</b>		<b>542,000</b>
<b>Yearly value of patronage to each director</b>		<b>22,583</b>

In reading the above statement the hon. proprietor used the words, 'total value of places sold.'

Mr. TWINING said, the gallant officer must be well aware that the places were not sold.

Mr. LOWNDES said, the gallant officer meant, disposed of for money's worth, and that was equal to money.

Col. STANHOPE did not mean to say, that the directors sold those appointments.

All he meant to show, was the value which they would produce if disposed of to the public by sale.

He then proceeded. In addition to the appointments included in the above statement, there were bishops, judges, attorneys, some of them making 15,000*l.* a year. There were the professorships at Addiscomb and Haleybury, besides about 2500 snug situations in the India House. There were also the contracts for shipping army clothing, stores, &c. which were the sources of immense profit.

Mr. LOWNDES.—Were not these contracts made at a Board?

Col. STANHOPE hoped they were, but he thought the other patronage he had mentioned should be disposed of for the advantage of the public; and as long as he had a voice in that Court, he would raise it for the interests of the people, who, he contended, were entitled to those advantages now monopolized by a few. He did not mean to charge any of the Directors with corruption, or with improperly disposing of any of those appointments. For aught his argument was affected by it, they might be twenty-three very honourable men, and the twenty-fourth as honourable as the rest. All he contended for was, that they should not have the disposal of such immense patronage, which ought to be applied for the general advantage. That patronage was much greater now than in the time of Mr. Fox's bill. The remedy which he would propose would be, that all those appointments he had named should be publicly sold to men fully competent to fill them. That competency to be decided by a committee of examiners, who should minutely examine the qualifications of the candidates. He would suggest that, in the first instance, there should be published a list of the situations vacant, and that all the parties who might become candidates for their purchase, should undergo a strict examination as to their qualifications. The examiners should be competent professors, well skilled in the languages, in theology, in law, in surgery, the art of war, &c., and by their examination should the claims of the candidates be decided. It might be said that this plan would be injurious to the man of merit who happened to be timid. This he denied. A man of much merit might, he admitted, be timid; but if he were so much so as to be unable to meet such an examination, he would be altogether unfit for employment in the Company's service. It might also be objected that this plan would place the appointments in the hands of the opulent, whilst the ~~unopulent~~ would be excluded; but this was, in fact, already the case, and by the proposed plan they would not be excluded more than they were at the present moment. The effect of his proposition, if carried into effect, would be to diminish corruption by the reduction of the means. But it might be objected, that the sale of offices would expose the Company to depredation; but he contended that men, whether opulent or otherwise, might become depredators, if the chance of detection was less than the temptation. It was well known that the greatest depredations were committed, not among the poorest, but the richest classes of society. If it were objected to him, that by his plan money would become the test of merit, he would admit that it would, if there were no examination as to the competency of the candidate; but that examination would remove all risk of the offices falling into incompetent hands, and all that the Company would be, that none but persons duly qualified should be in their service. The practice of selling important appointments was not without precedent. It was begun in the army by the Duke of Cumberland in the time of George II., who allowed certain old officers in the army to sell out their commissions, and the practice was continued down to the present time, and he had never heard that it was productive of any bad effect. He himself had purchased an unattached commission in the army. The sale of commissions was now permitted in the artillery and engineers, and he understood was to be extended to a certain degree; and there was no apprehension that incompetent men would by that means get into those services, as the proper qualifications were as indispensable for the purchase as the purchase-money. In Austria commissions were sold, and in France it was the practice down to the period of the revolution.

Mr. LOWNDES.—Aye, and corruption began only when commissions were not allowed to be sold.

Col. STANHOPE proceeded.—He would next, he said, call the attention of the Court to the necessity which existed for such a measure as that which he proposed. The debt of India and that of England were one and the same. That of India would never have been contracted—that parties would not have been induced to advance the money, if the payment were not guaranteed by the government of this country. It had increased with amazing rapidity in the last forty years. In the year 1778 it was not more than five millions. In 1790 it had increased to nine millions. In 1799 it was nearly thirteen millions. In 1810 it had reached to thirty-five millions; and in 1822 it was nearly thirty-eight millions; yet during all that time the Governors-General abroad, and the Company at home, were boasting of the surplus of revenue over expenditure. To talk of retrieving their affairs, and of paying the debt, by securing a permanent peace, was, while their territories were surrounded by millions of enemies, absolute nonsense.

The attention of the Proprietors was too little called to this subject, because, whether the affairs of the Company were prosperous or otherwise, the dividends were paid. The gallant Officer then proceeded to contend, that with a national debt of 897 millions, and an Indian debt of 38 millions, this country must be led to a national bankruptcy, and the public fundholder be ruined, unless some immediate and effectual means were adopted, by economy and reduction of expenditure, of averting that dreadful calamity. The hon. Proprietor, (Mr. Lowndes,) who so frequently alluded to the French Revolution, and who was so much opposed to all reform, should recollect that that revolution was brought about by the want of reform—by the corruptions of the Court and the Ministers of that day. The consequence was, the nation could not keep faith with the public creditor, and came to what was called an equitable adjustment. About one-third of the debt was paid, and bonds were given for the remainder; but those bonds soon became of no value, and were never paid. He trusted that a like misfortune might never happen to this country, but there were very eminent men who had expressed serious fears that our immense load of debt would lead to such a result at last. He would read to the Court an extract from one of the essays of a very able philosopher, historian, and political economist. (Hume, on this subject.)—Here the hon. and gallant Officer read an extract from the 'Essay on Public Credit,' in which the writer supposes that a time would come when the Government of the country, forced by the pressure of some foreign war, or other urgent exigency, would seize upon the fund appropriated for the payment of the public creditor, under a protest that the money should be replaced in a short period; but that the same necessity which caused the seizure, would prevent the restoration of the money, and that ruin would thus be brought upon the public creditor by the violation of national faith.

Mr. LOWNDES here said, he was anxious to inquire of the gallant Officer in what year this occurred?

Col. STANHOPE said, about eighty years ago, and if the hon. Gentleman.—

Mr. LOWNDES, who did not appear to hear the answer, said, his reason for asking the question was, that, to his knowledge, Mr. Hume had contended, in opposition to Mr. Cobbett, that the national debt should be paid to the last farthing. (The mistake of the hon. Proprietor, in confounding the Member for Aberdeen with Mr. Hume the historian, occasioned considerable laughter in the Court.)

Col. STANHOPE went on to say, that he thanked the Hon. member for his interruption, as it gave him time to breathe a while. He thanked God that the fulfilment of the prophecy which he had read to the Court, had been prevented by our great naval superiority, our industry, and over-excellent machinery;—but still it could not be denied that of late years our agricultural and commercial population had been much shaken, and that even at the present moment England swarmed with paupers. This was the decline of the country, and its fall must speedily follow, unless the financial arrangements alluded to by the Chancellor of

the Eschequer should be brought without delay into effective operation, and thereby relieve the country from a great portion of its burthens. He conceived that the Court was bound to give its assistance at this emergency; they had the power of showing, that by the adoption of his plan they could save at least 500,000*l.* a year. (*Hear, hear.*) By such a reduction they would at once reduce the expenditure, and strengthen the Company's power in India.—This being his conviction, he earnestly called upon the Court to make the seeming sacrifice which he demanded of them. In making this motion he felt that he was actuated by no party motive—by no personal feeling;—*he* acted altogether from a conscientious wish to discharge his duty faithfully and honourably.

With the leave of the Court, he would now read his motion, being determined to obviate any objection which might be made as to the power and jurisdiction of the Court. The Hon. Member then moved the following resolutions:

'That the Proprietors of East India stock view with alarm the extent of their debt, and the increased and increasing patronage which places more than half a million's worth of annual appointments at the disposal of their Directors.

'That Mr. Dundas, a celebrated President of the Board of Control, declared that the patronage of British India was of itself sufficient, if transferred to the King's Government, to corrupt both Houses of Parliament, and to render the power of an ambitious minister superior to that of the Crown.

'That though the dread of this extensive system of corruption was sufficient to upset Mr. Fox's India bill and his administration, and to change, perhaps, the course of events in Europe, still the Proprietors observe that a vast portion of this patronage is actually vested in the hands of their Directors.

'That this Court cannot expect to escape untainted from that influence which was considered by the King and Peers of England as sufficient to destroy the constitution. And that, with a view to avoid this evil, they recommend,

'That all writerships, cadetships, surgeons, and other appointments, should be openly sold to properly educated and qualified persons, and that the amount of such purchase money be applied to a sinking-fund, for the purpose of gradually liquidating the existing India debt, which must otherwise eventually be added to the debt of the nation.'

Mr. LOWNDES, in rising to second the motion, observed, that the Hon. and gallant officer (Col. Stanhope) had quoted some statements made by Mr. Hume;—he was sorry that Hon. Member was not present to express his own opinion upon the subject (cries of *hear, hear,* and much laughter in the Court). He admitted that many abuses had arisen in the Company's service, which abuses had of late been corrected.

For instance, he would mention that a practice of former use, that is, the return of, or pay and clothing for men, who were dead, was no longer practised. Care had also been taken to prevent colonels of regiments from being clothiers of those regiments—a thing at present altogether done away with; such reformation having been commenced, he thought their continuance must be productive of great public benefit. With respect to the sale of commissions, he was of opinion, that such a practice, if adopted, would be to that Company as productive as it was elsewhere. He also approved of the sale of writerships, because he thought that might be done openly, when it was well known it was done in another manner. It was very easy for a man to present the son of his friend to a living of 700 or 800*l.* a year, while that friend got for his son a writership, or some other appointment of equal value. This was a cheap and safe way of cheating the denial with a clear conscience. He did not approve of that part of the gallant officer's plan which related to the sale of the appointment as chaplains or surgeons. The one was a situation much too sacred to be bought, and purchase might send blockheads into the other. Neither would he approve of the sale of such situations as those of clerks; for, if they purchased their places, they would make it up to themselves either in the malt or the meal. They would have it out of the Company in one way or another. With these exceptions he thought the motion of the gallant officer would be productive of much advantage to the public, and he, who had not attended in that Court for a considerable time, had

come that day expressly to support the motion. He was surprised to hear the gallant officer talking of an 'equitable adjustment,'—that was a measure to which no honest man would consent, and he was astonished to hear it stated as the opinion of the Hon. Member for Aberdeen (*loud laughter*), whom he had always understood to be always in support of the full payment of the public creditor. He would now conclude by supporting the motion.

Col. STANHOPE said, that he was glad to hear such sentiments as had fallen from the hon. Proprietor, after such miserable quibbling as they had heard about the section of the by-law.

Mr. TWINING said, that such a remark was wholly uncalled for by any thing which had fallen from him.

Col. STANHOPE said, he had no intention of imputing any thing of quibbling to him.

The CHAIRMAN said, that he should not have felt it necessary to make an observation on the motion before them, were it not for a remark which fell from the gallant officer. He had applied the word 'wincing' to him, when he spoke of the disposal of writerships. Now, of that term he begged to call for an explanation. He would tell the gallant Proprietor that he had nothing to wince for on the subject of patronage. He hoped, therefore, the hon. Proprietor would explain what he meant; after which he would put the motion to the Court, leaving it to them to dispose of it as they pleased.

Col. STANHOPE said, that he had used the word to a particular look which he thought the Chairman gave while he was speaking on the subject of patronage. At the same time he could assure the hon. Chairman, that he meant nothing offensive to him in what he said, for there was no member of that Court for whom he had a higher respect.

The question was now about to be put, when

Col. STANHOPE said, in explanation, that he had spoken of 'an equitable adjustment,' not as in any way approving of it, but as stating that the French had been driven to that course by the corruption and misgovernment of the Court.

The question was then put, and negatived without a division, there being only three hands held up for it.

Mr. WEEDING was anxious to know whether the Court of Directors would have any objection to produce a correspondence on the subject of the appointment of Bishops in India?

The CHAIRMAN said that no such correspondence as the Proprietor alluded to had taken place. The establishment of one Bishop at Calcutta was kept up, and one had been recently appointed.

Dr. GILCHRIST gave notice (on the part of General Thornton) of a motion for the next General Court day, for a return of the expense of holding an extra General Court at the request of a number of Proprietors, and also for the expense of a Ballot taken at the request of a number of Proprietors.

Dr. GILCHRIST, on the part of an hon. Friend, wished to know from the Chairman what was the amount paid to the supercargoes and agents of the Company to China within (we believe) one year.

The CHAIRMAN said, the amount was 60,963*l.* 6*s.* 4*d.*, which was divided between twelve agents.

Dr. GILCHRIST wished also to know what was the amount of the Sinking Fund for liquidating the Carnatic debt, and whether any part of it was yet applied to the payment of the principal debt.

The CHAIRMAN said, that the sum was 1,914,352*l.*, and that part of it was yet applied to the payment of the principal debt.

Mr. LOWNDES.—Are the Commissioners of the Carnatic still in existence?

The CHAIRMAN.—Yes.

Mr. LOWNDES.—May I ask what they do for that salary?

The CHAIRMAN.—They are acting under an Act of Parliament.

The Court then adjourned.



# CIVIL AND MILITARY APPOINTMENTS, PROMOTIONS, AND CHANGES, IN INDIA.

[B. signifies Bombay—M. Madras—and C. Calcutta.]

- Alder, J. G., Major, Inv. Estab. at his own request, permitted to resign.—C. Nov. 20.
- Anbury, T., Major, Eng., to be Lieut.-Col. v. Parlbv, dec.—C. Dec. 8.
- Auriol, J., Major, to be Lieut.-Col. 28th N. I. v. Moxton, ret.—C. Dec. 1.
- Axford, R., Capt., to be Major 27th N. I., v. Baynes, prom.—C. Dec. 29.
- Aldean, Brev. Capt., to be Interpr. and Qu.-Mast. 38th N. I., v. Craigie, appointed to Gen. Staff.—C. Dec. 28.
- Adams, J., Surg. 13th N. I., on furlough to Europe on private affairs.—C. Nov. 24.
- Buckett, Rev. W., to be District Chaplain at Neemuch.—C. Jan. 11.
- Bowen, Lieut.-Col., rem. from 14th to 3d N. I.—C. Nov. 21.
- Baring, J. D., Cadet, adm. to Cav. and prom. to Corn.—C. Dec. 8.
- Burgoyne, J., Cadet, adm. to be Assist.-Surg.—C. Dec. 8.
- Barnet, W., Lieut. 53d N. I., to be Capt. by Brev.—C. Dec. 8.
- Brookes, W., Lieut.-Col., rem. from 21st to 31st N. I., v. Jerasen, ret.—C. Dec. 7.
- Bowden, H., Lieut.-Col., to be Lieut.-Col. Com. Inf., v. W. Thomas, dec.—C. Dec. 15.
- Baker, Capt., Artill., to be Agent for preparations for new suspension bridges, with a salary of 1000 rs. per mensem.—C. Dec. 15.
- Bedford, J., Capt. 48th N. I. re-transf. to Rev.-Surv.-Dep.—C. Dec. 15.
- Browne, B., Lieut., Artill. re-transf. to Rev.-Surv.-Dep.—C. Dec. 15.
- Burt, C. H., Cadet, adm. to Inf. and prom. to Ens.—C. Dec. 21.—and appointed to do duty with 50th N. I.—C. Dec. 22.
- Babington, H., Cadet, adm. as Assist.-Surg.—C. Dec. 21.
- Burgoyne, Assist.-Surg., posted to 48th N. I., at Arracan.—C. Dec. 14.
- Brown, H., Lieut.-Col. Com. (new prom.) to 3d N. I.—C. Dec. 22.
- Bell, H. P., Assist.-Surg., app. to do duty with 65th N. I.—C. Dec. 29.
- Babington, Assist.-Surg., app. to do duty at Gen. Hosp.—C. Dec. 22.
- Blake, E., Lieut., Artill., to be Adj.—C. Dec. 23.
- Baines, J. C., Major, Artill., to be Lieut.-Col., v. Leys, deceased.—C. Dec. 23.
- Blunt, H. J., Cadet, adm. to Inf., and prom. to Ens.—C. Dec. 29.
- Bell, W., Capt., Artill., to officiate as executive Off. of 17th, or Burdwan Div. of Departm. of Public Works, v. Beckett, resigned.—C. Dec. 30.
- Bendon, Assist.-Surg., to be 1st Assist.-Gar.-Surg. Fort William, v. Hewett, prom.—C. Jan. 5.
- Baisragon, C. H., Lieut. 4th extra N. I., to be Interp. and Qu.-Mast., v. Stewart, prom.—C. Dec. 28.
- Baines, Lieut.-Col. (new prom.) posted to 60th N. I.—C. Dec. 28.
- Blackney, J. W., Lieut.-Col., 5th N. I., on furlough to Europe on private affairs.—C. Dec. 15.
- Baker, G., Capt., 33d N. I., on furl. to Europe, for health.—C. Dec. 15.
- Brown, Sir J., Lieut.-Gen., Col. of 1st L. C., on furlough, on private affairs.—C. Dec. 22.

- Blundell, F., Capt. 3d bat. Artil., to command a detachment proceeding to Prince of Wales's Island.—M. Dec. 7.
- Booker, J., Lieut. Artil., to be Qu.-Mast., Interp. and Paym. to 4th bat. v. Carew.—M. Dec. 12.
- Bayley, D., Ens. 43d N. I., to be Lieut. v. Williams, prom.—M. Dec. 12.
- Bell, J., Assist.-Surg., removed from 43d to 42d N. I.—M. Dec. 19.
- Briggs, J., Lieut. 13th N. I., directed to assume his situation of Dep. Assist. Qu.-Mast., in Mysoor.—M. Dec. 26.
- Broughton, E. R., 21st N. I., on furlough on private affairs.—C. Jan. 5.
- Betts, E. J., Lieut. 2d Extra N. I., on furl. for health.—C. Jan. 5.
- Budders, W. H., 16th N. I., on furl. for health.—C. Jan. 5.
- Baines, C. H., Major 27th N. I., on furl. for health.—C. Dec. 21.
- Bayles, T., Lieut. 52d N. I., to be Quart.-Mast. Interp. and Paymaster.—M. Oct. 27.
- Byam, A. E., Lieut. Artil., to be an Extra Assistant at Hyderabad.—M. Oct. 31.
- Brown, G. G., Ens., posted to 49th N. I.—M. Oct. 10.
- Budd, R. H. J., Ens., app. to do duty with 10th N. I.—M. Nov. 13.
- Bryre, R. Ens., app. to do duty with 18th N. I.—M. Nov. 13.
- Burgess, H. S., Lieut. 5th N. I., to be Capt., v. Mitford, retired.—M. Nov. 14.
- Bannerman, Mr. R. A., to be Head Assist. Magistrate of Tinnevely.—M. Nov. 2.
- Blair, Mr. H. M., to be Head Assist. to Head Magistrate of Malabar.—M. Nov. 2.
- Barker, A., Ens., rem. from 33d N. I. to 2d Europ. Reg.—M. Oct. 13.
- Browne, J. J., Lieut., rem. from 3d to 2d bat. Artil.—M. Oct. 13.
- Bremner, W., 47th N. I., to be Fort Adj. at Bellary, v. Metcalf, prom.—M. Oct. 24.
- Blaxland, M. Lieut. 51st N. I., to Cape, v. Russell, prom.—M. Oct. 27.
- Cosmy, W., Lieut.-Col. Com. 24th N. I., on furlough to Europe.—C. Dec. 21.
- Crisp, Lieut. Royal Regiment, on furlough to Europe for health.—C. Dec. 8.
- Clayhills, C. Ens. 10th N. I., to be Lieut. v. Sinclair, dec.—M. Nov. 7.
- Cotton, A. J., Lieut. of Eng., to be Civil Engineer in Centre Station.—M. Nov. 13.
- Curran, G., Capt. 1st Horse Artil., to com. Artil. with light field div. of Hyderabad.—M. Nov. 25.
- Carew, W. S., Lieut. 4th, or Golundauze bat., to be Staff Offi. to detach. of Artil. proceeding to Prince of Wales's Island.—M. Dec. 7.
- Crighton, T., Surg., app. to 20th N. I.—C. Dec. 21.
- Commeline, C., Lieut. 13th N. I., to be Adj. v. Fleming, deceased.—C. Nov. 25.
- Crawley, Mr. A., to be Subcol. and Assistant Magistrate in Salem.—M. Nov. 23.
- Caffin, J. C., Lieut. 12th N. I., to be Qu.-Mast. Interp. and Paymaster to 2d bat. v. Anderson.—M. Oct. 27.
- Campbell, J. N. R., to be Capt. 2d L. C. v. Macqueen, deceased.—M. Dec. 12.
- Clerk, H. J., Lieut. 3d L. Inf., to be Adj. v. Harvey, ret. to Europe.—M. Dec. 12.
- Crawford, A., Capt. Artil. to be Commissary of Stores, with forces in Doobah, v. Parke.

- Cannan, J., *Ens.*, rem. from 14th to 15th N. I. —M. Dec. 18.  
 Cathcart, Mr. J. F., appointed Registrar of the Zillah Court of Nuddcan.  
 C. Dec. 14.  
 Campbell, Mr. G. R., app. Principal Assistant in Rohtuck Div. of Delhi Territory.—Nov. 23.  
 Conolly, Mr. W. J., appointed sub. Sec. to Board of Revenue in Central Province.—C. Nov. 30.  
 Cuming, Mr. A., app. dep. Collector of Azungush.—C. Dec. 14.  
 Crurklow, G., Lieut. 6th N. I., to be Capt., v. Decluzean, deceased.—C. Dec. 8.  
 Conlyn, F., Surg., app. to 58th N. I. at Arracan.—C. Dec. 5.  
 Croxton, Lieut.-Col. Com., rem. from 3d to 10th N. I.—C. Dec. 22.  
 Comyn, P. T., rem. from 53d to 37th N. I.—C. Dec. 22.  
 Crawford, R., *Ens.* 27th N. I., perm. to resign.—C. Dec. 30.  
 Clayton, H., Lieut. supernumerary, to be a Sub. Assist. Com.-Gen.—C. Dec. 30.  
 Colebrook, R., Capt., 26th N. I. transfered to invalid establishment.—C. Dec. 30.  
 Covell, H., Assist. Surg., to be Surgeon to Gov.-Gen., v. Abel der.  
 Campbell, R., Lieut., 43d N. I. to be Inter. and Qu.-Mas. v. Hart, prom.—C. Dec. 28.  
 Cartwright, E., Lieut.-Col., rem. from 1st Eur. reg. to 15th N. I.—C. Dec. 28.  
 Canliffe, Lieut.-Col., rem. from 24th to 4th Extr. N. I.—C. Dec. 28.  
 Campbell, N., Lieut., 13th L. Inf., to be Captain by brev.—C. Dec. 6.  
 Craigie, E. B., Maj., 69th N. I., on furlough to Europe.—C. Dec. 1.  
 Delancy, Mr. J., to be Assist. to Sec. to Board of Revenue in Central Prov.—C. Nov. 23.  
 Drysdale, J., Capt. 50th N. I. to be Maj., v. Kemm, prom.—C. Dec. 15.  
 Delamain, J., Lieut.-Col., rem. from 50th to 3d N. I.—C. Dec. 22.  
 Dickson, R. L., Capt., 15th N. I. to be Maj., v. Nicholson, dec.—C. Dec. 20.  
 Doveton, H., Lieut. of the Commissariat to Supernum. Sub.-Assist. Com.-Gen.—C. Dec. 30.  
 Durant, J., Lieut.-Col., 10th N. I. on furlough to Europe for health.—C. Nov. 29.  
 Drummond, H., Lieut., 36th N. I. on furlough to Europe for health.—C. Nov. 29.  
 Daly, Lieut., 14th Foot, on furlough to Europe for health.—C. Jan. 3.  
 Dickson, B. L., Capt., 15th N. I., to be Major, v. Nicholson, dec.—C. Dec. 28.  
 Davis, Mr. W. D., to be Sub-Collector and Assistant Magistrate in north div. of Arcot.—M. Nov. 30.  
 Darrah, Rev. F. J., to be Mil. Chap., at Vizagatapan.—M. Jan. 5.  
 Durant, E. J., *Ens.*, removed from 20th to 3d N. I.—M. Oct. 13.  
 Degraives, H., Maj., 8th N. I. transf. to Inv. Estab.—M. Oct. 24.  
 Dennet, C., Lieut., 24th N. I. to be Quarter-Master, Inter., and Pay-Mast. v. Sinclair, prom.—M. Oct. 27.  
 Duff, D., Lieut., 37th N. I. to be Quarter-Master, Interpreter and Pay-Master, v. Wright, rem.—M. Oct. 27.  
 Dudgeon, F., Lieut., 44th N. I. to be Quarter-Master, Interpreter, and Paymaster, v. Blaxland, rem.—N. Oct. 27.  
 Drury, M. G., to be Sub-Coll., and Assist.-Mag., in south div. of Arcot.—M. Nov. 16.

- Douglas, J., Ens. app. to do duty with 16th N. I.—M. Nov. 13.  
 Davenport, Assist. Surg., rem. from 25th to 5th N. I.—M. Nov. 13.  
 Detmas, J., Lieut., Artil., to be Quart.-Mast., Interp. and Pay-Master, to 3d Bat., v. Feord.—M. Dec. 15.  
 Desormesur, C., Surg., rem. from 56th to 9th N. I.—M. Dec. 18.  
 Fermie, Capt., late Dep.-Assist.-Adj.-Gen., to S. E. div., to be Brigade-Maj. to Troops in Arracan.—C. Nov. 24.  
 Frederick, W., Ens. 6th N. I. to be Lieut., v. Cracklow, prom.—C. Dec. 8.  
 Fiddes, J., Capt., 42d N. I. to be Maj. v., Swinton, prom.—C. Dec. 1.  
 Fast, J. S., Ens., 59th N. I. to be Lieut., v. Turner, prom.—C. Dec. 1.  
 Fernie, R., Capt., 27th N. I. on furlough to Europe for health.—C. Dec. 8.  
 Fagan, Lieut.-Col. Com., rem. from 41st to 56th N. I.—C. Dec. 28.  
 Fast, Lieut.-Col., rem. from 59th to 24th N. I.—C. Dec. 28.  
 Grote, M. A., to be Collector and Joint Magistrate of north div. of Moora-dabad.—C. Dec. 7.  
 Gubbins, M. J. P., to be Assist. Com. of Delhi.—C. Dec. 21.  
 Goss, G. Assist. Surg. to the Civil Station of Bheenbhoom, v. Downes rem. to Nuddea.—C. Nov. 24.  
 Grealley, F., Lieut., 14th N. I. attached to the service of his Highness the Nizam, and directed to proceed to Hyderabad.—C. Nov. 18.  
 Geddes, W., Lieut., 67th N. I. to be Capt. by brev.—C. Dec. 8.  
 Galloway, A., Lieut. Col., (new promotion,) rem. to 2d. N. I. v. Richards prom.—C. Dec. 7.  
 Gilbert, W. R., Lieut.-Col., rem. from 27th to 15th N. I. v. Ryan, ret.—C. Dec. 7.  
 Gerrard, J. G., Cad., adm. to Inf., and prom. to Ensign, appointed to do duty with 6th N. I.—C. Dec. 21.  
 Gordon, P., Ens. from rem. 52d, and posted to 11th N. I.—C. Dec. 14.  
 George, Lieut.-Col., rem. from 37th to 60th N. I.—C. Dec. 22.  
 Grove, S. J., Lieut., to be Interpreter and Quarter-Master 68th N. I., v. Vasandau, prom.—C. Dec. 28.  
 Gerrard, Surg., re-appointed to 1st Nusseree Bat.—C. Dec. 28.  
 George, Lieut.-Col., rem. from 60th to 29th N. I.—C. Dec. 28.  
 Grant, A., Brev. Capt., 52d N. I. on furlough to Europe for health.—C. Dec. 1.  
 Gurnham, R. C., Lieut.-Col., 36th N. I. on furlough to the Cape for health.—C. Dec. 1.  
 Griffiths, F. B., Lieut., 42d N. I. to be Quart.-Mast., Interp. and Pay-Mast. v. Ely, on furlough.—M. Oct. 27.  
 Greenhill, Lieut.-Col., Com. 34th N. I. to com. light field div. of Hyderabad, subsid. force at Jaulnah, v. Pollock.  
 Gourbb Cornet, G. B. B. app. to do duty with the 5th L. C.—M. Nov. 13.  
 Gomin, J., Ens. app. to do duty with 18th N. I.—M. Nov. 13.  
 Gordon, C., Ens., to do duty with 6th N. I.—M. Nov. 13.  
 Geddes, Assist., Surg., rem. from 14th to 25th N. I.—M. Nov. 16.  
 Goold, H., Lieut. 38th N. I. Pion. to 1st Bat. Pion. v. Macartney, prom.—Nov. 16.  
 Griffiths, Lieut.-Col. H., Inv. Estab., on furlough for 12 months to the Cape for health.—C. Dec. 30.  
 Glover, Major, Royal Regt., on fur. to Europe for health.—C. Nov. 28.  
 Grumbleton, Cornet, 4th L. Drag., on furlough to Europe for health.—C. Dec. 12.

- Gear, Lieut. J., 20th N. I., on fur. to Europe for health.—C. Dec. 15.  
 Grissell, Ens. J., Eur. Regt., to be Lieut., v. Thompson, promoted.—C. Dec. 1.  
 Gray, M., Assist. Surg., appointed to 5th N. I.—C. Dec. 28.  
 Humphreys, R. M., Lieutenant, 2d N. I., to be Adj. v. Downing, res.—M. Oct. 6.  
 Hazlewood, J., Assist. Surg., to be Surg., v. Trotter, dec.—M. Oct. 6.  
 Harden, R. A., Lieut., 7th N. I. to be Adj., v. Hendrie, prom.—M. Oct. 24.  
 Hooper, Mr. G. S., Register to Zillah Court of Malabar.—M. Nov. 2.  
 Hutchinson, G., Capt., 24th N. I. Brig. Maj. at Sholapoor, transf. to Kulladgee.—M. Nov. 3.  
 Higginson, S., Assist. Surg., rem. from 9th to 24th N. I.—M. Dec. 19.  
 Henderson, Rev. J. R., to be Junior Presidency Chaplain.—C. Jan. 11.  
 Hart, Lieut. S., 43d N. I., to be Capt. v. Cowslade, dec.—C. Nov. 20.  
 Hamilton, Capt., 41st N. I., to be Assist. Adj. Gen. of the Army.—C. Dec. 1.  
 Hodgson, Lieut.-Col., rem. from 1st to 12th N. I. C., v. Grant, dec.—C. Dec. 8.  
 Hunter, C., Ens., 50th N. I., to be Lieut., v. Rees, prom.—C. Dec. 15.  
 Hetzler, C. B. B., Lieut., to be Capt., v. Garsten, dec.—C. Dec. 15.  
 Heathcote, Lieut.-Col., rem. from 60th to 53d N. I.—C. Dec. 22.  
 Holroyd, G. C., Lieut., 57th N. I., to be Capt. by brev.—C. Dec. 29.  
 Humphreys, S. P. C., Capt., 36th N. I., on fur. to Eur. for health.—C. Nov. 29.  
 Harrington, H. B., Lieut., 37th N. I., on furlough to Eur.—C. Dec. 15.  
 Horseburgh, A., Capt., 46th N. I., on furlough to Eur.—C. Dec. 21.  
 Howard, the Hon. F. G., Lieut., 13th Foot, on furlough to Europe for health.—C. Dec. 18.  
 Holloway, G., Ens., 69th N. I., to exchange corps with Ensign the Hon. J. C. Murray, 44th N. I.—C. Nov. 25.  
 Hewett, Assist. Surg., to perform medical duties of Sunderland Commission, v. Cowell.—C. Jan. 5.  
 Innes, J., Assist. Surg., to be Surgeon to the Residency at Catmandhoo.—C. Dec. 29.  
 Innes, W., Lieut.-Col., Com. 39th N. I., on fur. to Eur.—C. Nov. 24.  
 Jeafferson, Rev. C., to be Mil. Chap., at Nagpore.—M. Jan. 5.  
 Jackson, W. D., Bns., posted to 25th N. I.—M. Oct. 10.  
 James, J. R., Lieut., 32d N. I. to be Adj. v. Russell, rem.—M. Oct. 27.  
 Jay, R. A., Lieut., 27th N. I. to be Quart.-Mast., Interp. and Pay-Mast., v. Thorpe, res.—M. Nov. 10.  
 Jessop, E., Assist. Surg., rem. from 4th Nat. Vet. Bat., to 32d N. I.—Nov. 17.  
 Jackson, G., Lieut.-Col., rem. from 32d to 50th N. I.—M. Dec. 13.  
 Jackson, R., Lieut. of Artillery attached to the service of his Highness the Nizam, and directed to proceed to Hyderabad.—C. Nov. 18.  
 James, W., Ens., 44th N. I., to be Lieut., v. Marshall, prom.—C. Dec. 1.  
 Johnson, H., Lieut., 26th N. I., to be Interpreter and Quarter-Master, v. Grant, removed.—C. Nov. 25.  
 Jackson, W., Surgeon, appointed to 19th N. I.—C. Dec. 21.  
 Jenkins, F., Lieut., 63d N. I., to be Capt. by brev.—C. Dec. 29.  
 Kemm, W. H., Maj., Inf., to be Lieut.-Col. v. Bowen, prom.—C. Dec. 15; and remov. to 15th N. I.—Dec. 22.

- Knox, T., Lieut. Queen's Royals, to be an extra Aid-de-Camp on Staff of his Exc., Lieut.-Gen. Sir T. Bradford, Com-in-Chief at Bombay. C. Nov. 28.
- Key, Assist.-Surg., permitted to place his services at disposal of Resident of Hyderabad.—M. Oct. 8.
- Kenny, J. W. G., Ens., to do duty with 10th N. I.—M. Nov. 13.
- Kempthorne, J., Ensign, removed from 47th to 26th N. I.
- Kelly, H. M., Lieut.-Col. rem. from 1st Eur. Regt. to 32d N. I.—M. Dec. 13.
- Lyach, H. C., Lieutenant 48th N. I., to be Captain v. Massita, prom.—M. Oct. 10.
- Lewis, J., Ens. 48th N. I., to be Lieut. v. Lynch, prom.—M. Oct. 10.
- Lewis, W. G. T., Lieut. 46th N. I., to be Cantoment Adj. at Sholapoor.—M. Nov. 3.
- Lake, E., Lieut. Engin., to be Capt. v. Monteath, prom.—M. Nov. 3.
- Laing, Mr. W. C., adm. an Assist.-Surg.—C. Nov. 20.
- Lofly, M. E., 30th N. I., to be Lieut. v. Eyre, dec.
- Lawrence, H., Lieut. 67th N. I., to be Capt. by Brev.—C. Dec. 8.
- Lefevre, J. H., Ens. rem. from 10th to 26th N. I.—C. Dec. 14.
- Leese, J., Assist.-Surg. app. to 10th L. C. at Meerut.—C. Dec. 22.
- Llewellyn, Assist.-Surg., app. to do duty with the 28th N. I. at Barrackpore.—C. Dec. 29.
- Logan, G., Lieut. 41st N. I., to be Adj. v. Langford, rem.—M. Oct. 27.
- Lugard, J. T., Lieutenant 49th N. I., to be Qu.-Mas. Inter. and Paym. M. Baddeley, rem.—M. Oct. 27.
- Mills, Mr. J. A. M., to be Assist. to Magistrate, and to be Collector of Tipperah.—C. Jan. 4.
- Macpherson, Rev. A., to be District Chaplain at Dum Dum.—C. Jan. 17.
- Mathews, H. W., Ensign, 43d N. I., to be Lieut. v. Hart, prom.—C. Nov. 24.
- Martindale, Lieut. W., 2d in Command of 8th Local Horse, to be 2d in Command of 1st Local Horse, v. Grueber, dec.—C. Nov. 18.
- Marshall, Lieut. C., 18th N. I., to be Capt. v. Wilson, dec.—C. Dec. 1.
- Mathews, Surgeon P., to have charge of Medical Depot at Cawnpore, v. Taylor, dec.—Dec. 1.
- M'Leod, Capt. D., Engin., to be Major, v. Aubury, prom.—C. Dec. 3.
- Moore, Capt. G., 59th N. I., to be Maj. v. Fitzgerald, dec.—C. Dec. 8.
- Morland, Lieut. R. S. B. Artil., to be Capt. by Brev.—C. Dec. 8.
- Murray, Lieut.-Col. T., rem. from 2d Eur. Regt. to 9th N. I., v. Natiou, prom.—C. Dec. 7.
- M'Clintock, G. F., Cornet, 4th L. C., to be Lieutenant v. Read, resig.—C. Jan. 5.
- Malling, C. S., Lieutenant 68th N. I., to be Adjutant v. Marshall, prom.—C. Dec. 28.
- M'Causland, J. C., Lieutenant 2d Extra N. I., to be Adj. v. Nicolson, prom.—C. Dec. 28.
- M'Lean, R. N., Cad., adm. to Inf., and prom. to Ensign.—C. Dec. 8.
- M'Murdo, R., Lieut. 13th N. I., on furl. to Eur. for health.—C. Nov. 29.
- M'Leod, R. L. H., Ens., to do duty with 16th N. I.
- M'Kenzie, J. S., Ens., to do duty with 18th N. I.—M. Nov. 13.
- Mack, Assist.-Surg., to have Medical charge of North-Western div. of Madras, v. Atkinson, res.—M. Nov. 14.

- Murray, the Hon. J. O., Ens., 44th N. I., to exch. corps with Ens. Hol-  
loway, of the 69th N. I.—C Nov. 25.
- Middlecat, G., Lieut. Artil., to be Qu.-Mas. inter. and Paym. to 2d Bat.  
v. Anderson.—M. Oct. 27.
- Morris, Mr. H., to be Head Assist. to princ. Collect. and Maj. in North  
Div. of Arcot.—M. Nov. 23.
- Maitland, Mr. A., to be Assist. to Princ. Col., and Maj. of Cuddspah.  
—M. Dec. 7.
- Montgomery, Mr. H. C., to be Assist. to princ. Coll., and Maj. of Nel-  
lore.—M. Dec. 7.
- Martin, E. H., Ens., rem. from 8th to 31st N. I.—M. Nov. 25.
- Martin, S., Lieut.-Col., rem. from 2d to 4th. L. C.
- Marqueen, W., Lieut., 50th N. I., app. to 2d bat. Pioneers, v. Milnes.  
—M. Dec. 19.
- Maule, J. T., Assist.-Surg., posted to 1st N. I.
- Maxwell, Assist.-Surg., to do duty under Garrison-Surg. of Poonamallee.  
—M. Dec. 15.
- Miller, W. H., Lieut., to act as Qu.-Mas., Interp., and Paym. to 1st  
bat, Artil.—M. Dec. 12.
- Moore, R. C., Lieut., app. to Qu.-Mas., &c. to 1st bat. Artil., cancelled,  
he not having done regimental duty for the regulated period of two  
years.—M. Dec. 12.
- Manning, W. J., Lieut., to be Qu.-Mast. and Pay-Mast., 1st Eur. Reg. v.  
Brown, prom.—M. Oct. 8.
- Musita, A., Capt. 48th N. I., transf. to Inv. Estab., and posted to 2d  
Nat. Vol. Bat., at Guntore.—M. Oct. 10.
- Macally, Ens., posted 41st N. I.—M. Oct. 10.
- Macbean, W., Col. of H. M. 54th Reg., to succeed Lieut.-Col. Campbell,  
46th Reg., in the com. of troops in Malabar and Canara.—M. Oct. 31.
- Monteath, W., Capt. Eng., to be Maj., v. Melbourne, dec.—M. Nov. 3.
- Macartney, J., Lieut. 20th N. I., to be Capt. v. James, dec.—M. Nov. 14.
- Nicolson, J., Lieut., 4th N. I., to be Capt. v. Taylor, prom.—C. Dec. 1.
- Nation, S., Lieut.-Col.-Com., (new prom.) posted 9th N. I.—C. Dec. 5.
- Nicol, J., Lieut.-Col.-Com., rem. from 9th to 29th N. I. v. Haldane, dec.  
—C. Dec. 5.
- Neale, Lieut., 16th Lt. Drag., on furlough to Europe for health.—C.  
Dec. 6.
- Napier, Capt., 4th Lt. Drag., on furlough to Europe for health.—C.  
Dec. 23.
- Neusville, B., Lieut., 42d N. I., to be Capt. v. Feddes, prom.—C. Dec. 1.
- Nicolay, F. L., Lieut., 1st Extra N. I., to be Adj. v. Logan.—M. Oct. 27.
- Nisbet, A. E., Ens., rem. from 11th N. I., to 1st Eur. Reg.—M. Oct. 13.
- Ogilvey, D., Ens., 15th N. I., to be Lieut. v. Traup, prom.—C. Dec. 29.
- O'Brien, Lieut., 20th Foot, on furlough to Europe for health.—C.  
Dec. 29.
- Ormsby, Lieut., 14th Foot, on furlough to Europe for health.—C. Jan. 3.
- Osborne, G. B., Lieut., 19th N. I., to be Quart.-Mast., Interp. and Pay-  
Mast. v. Hitchens, prom.—M. Oct. 27.
- Owen, T., Surg., to be a superintending Surg.—M. Oct. 6.
- Ogilvie, Mr. W. C., to be Assist.-Coll. and Maj. of Masulipatam.—M.  
Dec. 7.
- Otley, G. C., Lieut. 39th N. I., to be Quart.-Mast., Interp. and Pay-  
Mast. v. Stafford, rem.—M. Oct. 27.

- Pead, B., Lieut., 4th L. C., permitted to resign.—C. Dec. 29.
- Pearson, J. H., Lieut., H. M. 11th Drag., to be an Aid-de-camp on personal staff of Gov.-Gen.
- Pester, Lieut.-Col., rem. from 1st to 2d Eur. Reg.—C. Dec. 28.
- Pollock, Lieut.-Col., Art., on furlough to Europe for health.—C. Dec. 8.
- Playfair, G., Surg., on furlough to Europe.—C. Dec. 22.
- Pontau, Mr. B. T., Assist. to Col. and Mag. of Combarere.—M. Dec. 7.
- Peil, E., Lieut., 12th N. I., to be Adj. v. Coffur.—M. Oct. 24.
- Pollock, Lieut.-Col. Com., 22d N. I. to com. Nagpore, subsid. force, v. Deacon perm. to return to Europe.—M. Nov. 10.
- Poole, Mr. P., admitted Assist.-Surg., to do duty under Cantonment-Surg., at St. Thomas's Mount.—M. Nov. 14.
- Pinchard, G. T., Ens. L. Inf., to be Lieut. v. Harvey prom.—M. Dec. 19.
- Parke, T. T., Capt. of Artil., to be Assist.-Adj.-Gen. of Artil., v. Bonner.—M. Dec. 19.
- Pocock, R. T., Cor. 2d L. C. to be Lieut., v. Campbell prom.—M. Dec. 12.
- Perreux, M. W., Lieut. 1st N. I., to be Adj., v. Besset.—M. Dec. 12.
- Pringle, Mr. D., to be Assist. to Magistrate, and to Collect. of Tipperah.—C. Jan. 4.
- Poole, Lieut.-Col. rem. from 3d to 14th N. I.—C. Nov. 21.
- Paton, J. F., supernum. Capt., J. F. Eng., brought on effective strength of corps.—C. Dec. 8.
- Phillips, J. H., Ens. 42d N. I., to be Lieut. v. Neufville, prom.
- Parker, W., Lieut. 10th L. C., to be Aid-de-Camp to Maj.-Gen. Pine.—C. Dec. 20.
- Platt, W., Ens. 18th N. I., to be Lieut. v. Donnelly, dec.—C. Dec. 29.
- Plume, T., Ens. 27th N. I., to be Lieut. v. Pitton, prom.—C. Dec. 29.
- Pitten, P. R., Lieut. 27th N. I., to be Capt. v. Oxford, prom.—C. Dec. 29.
- Robertson, T., Lieut.-Col. Engineers, to be Lieut. Col. Com.—C. Dec. 8.
- Rees, W. W., Lieutenant 50th N. I., to be Captain, v. Drysdale, prom.—C. Dec. 15.
- Rausford, Mr. J., admitted Assist.-Surg.—C. D. 29.
- Rogers, Mr. W. H., admitted Assist.-Surg.—C. Dec. 29.
- Ramsbottom, Lieut. 4th Foot, on furl. to Eur. for health.—C. Dec. 29.
- Roe, H., Assist.-Surgeon, app. to the Civ. Station of Tipperah v. Branden, rem to Cattack.—C. Nov. 20.
- Roberdeau, J. W., Captain 4th L. C., on furlough to Eur. for health.—C. Dec. 15.
- Rodber, J., Maj. of Artil. on. furl. to Eur. for health.—C. Dec. 15.
- Stephenson, Surg., rem. from 25th N. I. to 1st L. C.—M. Dec. 19.
- Simpson, W. H., Lieut. 36th N. I., to be an extra Aid-de-camp to his Excellency the Commander-in-Chief.—M. Dec. 12.
- Smith, H. F., Lieut.-Col.-Com. 42d N. I., to com. Travancore sub-Force, v. Greenhill.—M. Nov. 13.
- Snow, E. W., Lieut.-Col., rem. from 25th to 14th N. I.—M. Nov. 13.
- Steel, S. W., Capt., directed to assume his duties as Qu.-Mas., &c. at Nagpore.—M. Nov. 14.
- Schalck, P., Lieut. 2d L. C., on furl. to Europe.—C. Jan. 5.
- Symons, J., Lieut. 10th N. I., to be Qu.-Mas. inter. and Paym., v. Fitzgerald.—M. Oct. 27.
- Stafford, C., Lieut. 51st N. I., to act as Adj., in absence of Lieut. Russel.—M. Oct. 27.



- Shepherd, J., Lieut. 24th N. I., to be Adj. 1st bat. Pioneers, v. Wheeler prom.—M. Oct. 24.
- Sheriff, A. E., Lieut., 1st Horse Artil., to act as Adj., v. Hyalop, returned to Europe.—M. Oct. 24.
- Spring, Rev. F., to be Mil. Chaplain at Quilon.—M. Jan. 5.
- Scott, Mr. J. C., to register to Zillah Court of Canara.—M. Nov. 2.
- Smith, Mr. E. J., to be Judge and Magistrate of Moradabad.—C. Nov. 23.
- Stevens, Rev. J. N., to be Dist.-Chap., at Kurnaul.
- Stevenson, Assist.-Surg., posted to 14th N. I.—C. Nov. 15.
- Steel, J., Capt., 41st N. I. to be Dep.-Judge-Adv.-Gen., on estate, v. Hamilton, prom.—C. Nov. 25.
- Shaw, W., Cadet, admitted to Interp. and prom. to Ens.—C. Dec. 1.
- Stephen, J., Lieut., 19th N. I., to Interp. and Quart.-Mast., v. Ingram, prom.—C. Nov. 25.
- Stewart, W., Officiat. Assist.-Surg., permitted to resign.—C. Dec. 8.
- Swinton, W., Maj., Infantry, to be Lieut.-Col., v. Ryan, retired.—C. Dec. 1. and posted 67th N. I.—C. Dec. 7.
- Stuart, J. L., Lieut.-Col., rem. from 67th to 27th N. I.—C. Dec. 5.
- Small, B. D., Cadet, admitted as Assist.-Surg.—C. Dec. 21. app. to do duty General Hospital.—C. Dec. 22.
- Satchwell, J., Capt., Commissar. prom. from 1st to 2d class of Dep. Assist. Com.-Gen.—C. Dec. 30.
- Stoddart, Surg., app. to 3d N. I.—C. Dec. 28.
- Stonehouse, A., Surg., on furlough to Europe for health.—C. Nov. 24.
- Sergeant, G. Lieut.-Col., 13th N. I. on furlough to Europe.—C. Dec. 8.
- Scott, G. G., Lieut., of Art. on furlough to Europe for health.—C. Dec. 21.
- Thompson, W. B., Cad., admitted to inf. and prom. to Ens.—C. Dec. 15.
- Turner, W. H., Lieut. 59th N. I., to be Capt., v. Moore, prom.—C. Dec. 1.
- Taylor, C., Capt. 4th N. I., to be Maj., v. Tapp, prom.—C. Dec. 1.
- Tyler, G. F., Lieut., 16th N. I., perm. to res.—C. Dec. 8.
- Tyler, R., Surg., to be Naturalist, Mineralogist, and Surg. to expedition about to proceed on a voyage of discovery.—C. Nov. 20.
- Tierney, Mr. M. J., to be Dep.-Collec. of Gov. Customs and Town Duties at Benares.—C. Nov. 23.
- Tomlinson, Capt., 11th Lt. Drag. on furlough to Europe.—C. Dec. 12.
- Thompson, J., Lieut., of Engin., to be Exec. Engin., of 3d or Distapore div. of dep. of public works, v. Taylor.—C. Jan. 5.
- Taylor, J., Capt., of Eng., to be Assist. Superintend. Eng. of public work in Lower Prov., v. Garsun.—C. Jan. 5.
- Thomson, W. J., Capt., Sub. Assist. Com. Gen. of 2d class.—C. Dec. 30.
- Troup, W. A., Lieut., 15th N. I., to be Capt., v. Dickson, prom.—C. Dec. 28.
- Tweedale, W. H., Capt., rem. from 6th to 8th L. C.—C. Dec. 20.
- Urquhart, Surg., removed from 18th to 11th N. I.—C. Nov. 15.
- Vertue, Assist.-Surg. D., to be Surgeon to Residency of Hyderabad.—M. Oct. 31.
- Well, N. S., Maj. of Art., on furlough to Europe for health.—C. Nov. 24.
- Williamson, P., Lieut., 48th Foot, to be Capt. by brevet.—C. Dec. 6.
- Waters, Lieut.-Col., rem. from 4th Extra to 59th do. N. I.—C. Dec. 28.

- Wilson, Lieut.-Col. Com., rem. from 16th to 17th N. I.—C. Dec. 28.  
 Weguelin, Lieut.-Col. Com., rem. from 56th to 41st N. I.—C. Dec. 28.  
 Wemright, Capt., 47th Foot, on furlough to Europe, for one year.—C. Dec. 12.  
 Whitehead, Lieut.-Col., Com. 48th N. I., on furlough to Europe.—C. Dec. 16.  
 Woodburn, Assist.-Surg., to be Surg. v. Williamson, ret.—C. Jan. 5.  
 Whisk, Maj., W. S., Artil. to Com. Kurnaul and Sirhind Div. of Artil.—C. Dec. 23.  
 White, Brig.-Maj., app. to Barrackpore.—C. Dec. 1.  
 White, Capt. H. L., 36th N. I., to be Brig.-Maj., on Estab., v. Currie, ret.—C. Dec. 21.  
 Watson, Assist.-Surg., J. A. D., to be Surg. v. MacWhirter, ret.—C. Dec. 15.  
 Wyatt, Lieut.-Col. E., (newly prom.) posted to 52d N. I., v. Moxton, ret.—C. Dec. 7.  
 Ward, Lieut.-Col. J., (newly prom.) posted to 21st N. I.—C. Dec. 5.  
 Wilcox, Ens. J., 4th N. I., to be Lieut. v. Nicholson, prom.—C. Dec. 1.  
 Wingfield, Lieut. W., 10th L. C., to be Adjutant, v. Dougan, prom.—C. Nov. 25.  
 Wemyss, Ens. J., 44th N. I., to be Lieut., v. Balderston, dec.—C. Dec. 1.  
 Williams, Mr. R., to be sub-collector of Phillibheet and Assist.-Maj.—C. Dec. 7.  
 Wyllie, Lieut. J., 45th N. I., to be Qu.-Mas. Inter. and Paym., v. Fraser, prom.—M. Oct. 27.  
 Walker, Lieut. W., 1st L. C., to be Adj. v. Thwarte, dec.—M. Oct. 24.  
 Walker, Mr. J., to be Register to Zillah Court of Madura.—M. Nov. 2.  
 Willmot, Mr. A., to be Assist. to Coll. and Mag. of Bellary.—M. Jan. 18.  
 Williams, Mr. H., Head-Assist. to Coll. and Mag. of Chingulput.—M. Nov. 16.  
 Waters, Cornet H. S., rem. from 8th to 3d L. C.—M. Nov. 25.  
 Wilkinson, Ensign A., rem. from 13th to 33d N. I.—M. Nov. 25.  
 Wright, Ensign J., rem. from 52d to 5th N. I.—M. Nov. 25.  
 Waugh, Lieut.-Col. G., rem. from 56th N. I. to 1st European Regt.—M. Nov. 25.  
 Williams, Lieut. G., 43d N. I., to be Capt., v. Budd, dec.—M. Dec. 12.  
 Williams, Lieut. W. L., 3d. L. I., to be Qu.-Mas. Inter. and Paym., v. Johnstone.  
 Whingates, Capt. F. F., of Artil. to be Superintend. of Rocket Estab. at head-quarters, v. Wynch.—M. Dec. 12.  
 Woods, Asst.-Surg., to be Dep. Med. Store-keeper at Jaulnah, v. Davidson, perm. to return to Europe.—M. Dec. 12.  
 Webb, Lieut., 19th N. I., to be Capt., v. Binning, disch.—M. Dec. 26.  
 Walker, Capt. D., rem. from 4th to 2d Nat. Vet. Bat.—M. Jan. 1.  
 Wilson, Capt., 30th N. I., on furl. to Europe.—M. Oct. 5.

**BIRTHS.**

- Alexander, the lady of N., Esq., of a daughter, at Calcutta, Oct. 7th 30.  
 Angelo, the lady of Lieut. F., L. C., of a son, at Kurnaul, Oct. 16.  
 Archer, the lady of Lieut. 20th Regt., of a daughter, at Trichinopoly, Dec. 12.  
 Brougholt, the lady of Lieut. W. G., of a son, at the President Cantonment, Nov. 14.  
 Boyd, the lady of Lieut.-Col. Com., of a son, at Penang, Sept. 30.

- Bowdler, the lady of Lieut. Col., 41st Regt., of a son, at Kempten, Sept. 29.
- Boyd, the lady of J., Esq., Assist.-Surg., of a daughter, at Rajpote, Jan. 19.
- Bruce, the lady of W. C., Esq., Civ. Serv., of a daughter, at Bombay, Jan. 27.
- Bradley, the lady of the late Capt., E. of a son, at Calcutta, Dec. 15.
- Baker, the lady of Capt. B., 2d N. V. Bat., of a daughter, at Guntoor, Jan. 3.
- Bruce, the lady of W. C., Esq., Civ. Serv., of a daughter, at Ceylon, Dec. 27.
- Brown, the lady of the late Capt. R., 16th Regt., of a daughter, at Trincomalee, Nov. 12.
- Cheap, the lady of A., Esq., Civ. Serv., of a daughter, at Bellary, Nov. 15.
- Crockett, the lady of Capt., of a son, at Gulgaum, Sept. 22.
- Campbell, the lady of the Rev. W., of a daughter, at Bangalore, Aug. 14.
- Cuxton, the lady of Capt., of a son, at Secunderabad, Sept. 21.
- Cheek, the lady of G. N., Esq., Civ. Surg., of a daughter, at Bancoora, Dec. 10.
- Cox, the lady of Lieut. G. H., 62d N. I., of a son, at Benares, Jan. 10.
- Chauvel, the lady of Lieut. C., 35th N. I., of a son, at Madras, Nov. 17.
- Crawford, the lady of S., Esq., Civ. Serv., of a son, at Cuddalore, Jan. 1.
- Cumberlege, the lady of B. W., Esq., 7th L. C., of a son, at Sholapore, Nov. 14.
- Chambers, lady, of a son, at the Hermitage, Ceylon, Dec. 28.
- Chisholm, the lady of Capt., Mad. Art., of a daughter, at Colabah, Dec. 27.
- Derksz, the lady of P. S., Esq., of a son, still born, at Catingapatam, Dec. 12.
- Dundas, the lady of Capt., of a son, at Barrackpore, Nov. 27.
- Debude, the lady of Lieut. H., of Engineers, of a son, at Saharampoor, Dec. 10.
- Dods, the lady of Capt., Adj. at Cantonment, Madras, of a son, Dec. 12.
- Elphinstone, the lady of the Hon. J. R., of a son, at Allahabad, Oct. 11.
- Evans, the lady of Lieut., Fort. Adj., of a son, at Trichinopoly, Nov. 30.
- Ellerton, the lady of J. F., Esq., Civ. Serv., of a daughter, Dec. 29.
- Eden, the lady of T., Esq., of a daughter, at Colombo, Nov. 23.
- Francis, the lady of W., Esq., Assist. to the Judge Adv. Gen. Office, of a daughter, at Calcutta, Dec. 15.
- Fraser, the lady of Capt. A., 45th Regt. N. I., of a son, at Jaulnah, Jan. 5.
- Farrar, the lady of Lieut. C., 14th Regt. N. I., of a son, at Madras, Jan. 29.
- Field, the lady of Capt. G. B., 23d Regt., of a daughter, at Moradabad, Dec. 9.
- Farnworth, the lady of J. M., Esq., 44th N. I., of a daughter, at Dacca, Jan. 13.
- Foord, the lady of Lieut., of Artillery, of a son, at St. Thomas's Mount, Dec. 26.
- Fyfe, the lady of Capt., of a daughter, at Tanjore, Dec. 31.
- Forbes, the lady of G., Esq., of a daughter, at Ceylon, Dec. 8.

- Garrett**, the lady of Lieut. H., 10th Nat. Cav., of a son, at Meerut, Nov. 17.
- Genere**, the lady of H., Esq., of a son, at Chandernagore, Nov. 30.
- Gamage**, the lady of Capt., Mad. Art., of a son, Jan. 12.
- Heyman**, the lady of Capt., 13th L. Drag., of a daughter, at Revelgunge, Oct. 9.
- Haig**, the lady of J., Esq., of a daughter, at Cuddapah, Sept. 30.
- Hailes**, the lady of H., Esq., of a son, at Buxar, Dec. 14.
- Halhead**, the lady of N. J., Esq., second Judge of Provincial Court of Appeal and Circuit for division of Moorshedabad, of a daughter, at Dinapore, Jan. 3.
- Hadow**, the lady of G. J., Esq., Civ. Serv., of a daughter, at Madras, Dec. 31.
- Huxham**, the lady of W., Esq., of a daughter, at Quillon, Nov. 10.
- Hemmings**, the lady of Capt., of H. M. 44th Regt., of a daughter, at Fort William, Nov. 29.
- Henderson**, the lady of Capt., of a son, at Poonah, Dec. 1.
- Havelock**, the lady of Capt. W., H. M. 4th Drag., of a son, at Bhooj, Dec. 18.
- Impey**, the lady of Lieut. J. S., Postmaster to Nagpore Subsid. Force, of a son, still-born, at Kamptee, Dec. 9.
- Jacob**, the lady of J. W., Esq., of a son, at Fettyghur, Oct. 23.
- Kilkenny**, the wife of M. J., Conductor of the Ordnance Department, of a daughter, at Bombay, Dec. 31.
- Lang**, the lady of Capt., H. M. 13th L. Drag., of a son, at Arcot, Dec. 1.
- Lamb**, the lady of J., Esq., of a son, at Maldah, Nov. 25.
- Lane**, the lady of Lieut., Artillery, of a daughter, at Dum Dum, Jan. 19.
- Locke**, the lady of Capt., attached to the S. L. B., of a daughter, at Cannanore, Dec. 23.
- Langley**, the lady of E. A., Esq., 3d Light Cav., of a son, at Arcot, Jan. 15.
- Lindsey**, the lady of Lieut.-Col., 78th Highlanders, of a daughter, at Colombo, Dec. 28.
- Lorenze**, the lady of J. F., Esq., Sitting Magistrate, at Matura, Jan. 5.
- Montgomerie**, the lady of Assist. Surg. A. B., Med. Estab., of a daughter, near Nagpore, Oct. 29.
- Montgomery**, the lady of Cap. D., Dep. Surv. Gen. of a daughter, Nov. 10.
- Minchell**, the lady of the Rev. W., of a daughter, at Bombay, Oct. 18.
- Morton**, the lady of J. Esq., Assist. Surg., of a daughter, at Coim Batore, Nov. 16.
- Mackenzie**, the lady of W. G. Esq., of a son, at Malacca, Sep. 13.
- Minchin**, the lady of J. Esq., of a son, at Chowringhee, Dec. 9.
- Moore**, the lady of Capt., Paym. Sarat Div. of the Army, of a daughter, Nov. 6.
- Martin**, the lady of Col., 2d Reg. L. Cav., of a son, at Secunderabad, Nov. 28.
- Mackenzie**, the lady of J. Esq., of a son, at Howrah, Nov. 29.
- Maxwell**, the lady of the late E., Esq., Civ. Serv., of a daughter, at Bancaora, Dec. 5.

Macvitie, the lady of Lieut. W. J., of Artillery, of a daughter, at Dum Dum, Jan. 4.

Martin, the lady of Lieut.-Col., 2d L. Cav., of a daughter, at Secundera-bad, Nov. 28.

Matthews, the lady of Capt. J., 37th regt., N. I., of a son, at Pondicherry, Dec. 30.

Mandeville, the lady of Lieut.-Col. C., of a daughter, at Madras, Jan. 12.

Owen, the lady of H. T. Esq., Civ. Serv., of a son, at Cawnpore, Nov. 5.

O'Connel, the lady of Lieut., Commissary of Ordnance, in Fort George, of a son, Jan. 3.

Proctor, the lady of the Rev. T., of a son, at Calcutta, Oct. 31.

Pusse, the lady of Maj. W., H. M.'s 16th Lancers, of a daughter, at Merut, Nov. 5.

Playfair, the lady of Capt. H. L., of a daughter, at Hazzareebang, Dec. 25.

Pearre, the lady of Dr., 37th N. I., of a son, at Berhampore, Jan. 4.

Pottinger, the lady of Maj. H., resident in Cutch, of a daughter, Jan. 1.

Rushworth, the lady of Lieut. E., 2d Eur. reg., of a daughter, near Paina, Nov. 19.

Ridout, the lady of Capt., 5th reg., Niz. Cav., of a daughter, at Ellich-poor, Jan. 27.

Rowson, the lady of Capt. J., country serv., of a daughter, at Calcutta, Jan. 14.

Story, the lady of Capt. G., of a daughter, at Calcutta, Oct. 24.

Snodgrass, the lady of Maj., Assist.-Com.-Gen., of a son, at Poonah, Sept. 12.

Sandys, the lady of J. F., Esq., of a daughter, at Garden Reach, Oct. 13.

Sneyd, the lady of Capt. R. H., of a daughter, on board the Princess Charlotte of Wales, on her passage from Bengal, May 6.

Steer, the lady of Capt. F., of a son, at Kehah, Aug. 12.

Stevenson, the lady of the Rev. J., of a son, at Bombay, Oct. 14.

Sykes, the lady of Capt. W. H., officiating Statistical Reporter to Go-vernment, of a son and heir, in camp, Rotool Pergumiah Kurdeh, Ahmednuggur collectorate.

Simpson, the lady of G., Esq., of a son, at Ceylon, Dec. 7.

Smith, the lady of G. A., Esq., Mad. Civ. Serv., of a daughter, at Co-Canada, Nov. 25.

Smith, the lady of W. R., Esq., of a daughter, at Madras, Jan. 30.

Stark, the lady of Capt., of the Nag. Aux. Horse, of a daughter, at Bombay, Jan. 24.

Stoddard, the lady of Lieut., H. M.'s 54th Regt., of a daughter, at Parseewankum, Nov. 26.

Schmid, the lady of the Rev. B., of a daughter, at Palamcottie, Dec. 8.

Schroeder, the lady of J. C., Esq., H. M.'s Light Drag., of a son, at Arcot, Jan. 1.

Stewart, the lady of Lieut.-Col. G. M., 7th N. I., of a son, at Quillon, Jan. 19.

Thompson, the lady of E., Esq., of a daughter, at Bomandee Factory, Nuddeah, Oct. 10.

Thomson, the lady of Lieut. and Adj., 56th N. I., of a son, at Nus-seerabad, Oct. 18.

Vincent, the lady of Lieut. and Adj., of a son, at Barrackpore, Oct. 18.  
Vas, the lady of Dr., of a daughter, at Calcutta, Dec. 15.

Wyse, the lady of James, Esq., of a son, at Trichinopoly, Sept. 24.

Wilkinson, the lady of Capt., 28th Regt. N. I., of a daughter, at Barrackpore, Nov. 25.

Wylde, the Lady of Lieut. and Adj., 14th Regt. N. I., of a daughter, at Lucknow, Feb. 11.

Watson, the lady of Maj. J. S., of Artillery, of a daughter, at Bangalore, Nov. 22.

Walker, the lady of J., Esq., of a son, at Palamcottah, Dec. 1.

Williams, the lady of Capt. H. B., 3d Light Cav., of a daughter, at Arcot, Dec. 5.

Walker, the lady of Lieut.-Gen. Sir G., Commander-in-Chief, at Madras, of a son, Jan. 12.

Wolfe, the lady of W. Esq., Civ. Serv., of a daughter at Purneah, Dec. 8.

### MARRIAGES.

Angur, J. J., Esq., to Eliza, eldest daughter of A. Black, Esq., at Chinsurah, Dec. 26.

Bowser, Mr., of the Lower Orphan School, to Julia Matilda, daughter of the late Mr. Harrison, at Calcutta, Dec. 21.

Bagshawe, Lieut., S. R., 7th N. I., to Cornelia Eliza, eldest daughter of the late Brév. Capt. Rorke, 2d bat. 25th N. I., at Berhampore, Dec. 26.

Consitt, M. J. G. F., son of Lieut. Consitt, R. N., to Miss M. Anderson, at Madras, Dec. 13.

Cockburn, M. D., Esq., Collector of Salem, to Miss Lascelles, at Bangalore, Jan. 4.

Coyle, Capt., 29th N. I., to Jane, daughter of W. Thomson, Esq., M. D., Wexford, Ireland, at Madras, Jan. 22.

Carnegie, P. O., Esq., of the Civil Service, to Susan, second daughter of Lieut.-Col. Imlach, Mil. Ad.-Gen., Bengal, at Bengal, Oct. 26.

Caswall, J., Esq., to Mrs. Fullarton, widow of the late Capt. Fullarton, of the Engineers, at Palamcottah, Oct. 26.

Dawes, M. F., of the Horse Brigade, to Miss M. Mason, at Madras, Nov. 15.

Dickson, Capt. E. S., 38th N. I., to Miss J. M. Fenhoulet, at Madras, Dec. 1.

Drummond, Ensign A. A., of the 11th Regt. N. I., to Sandelier, eldest daughter of the late Mr. Simon, of Bombay, at Bombay, Jan. 22.

Gordon, W., Esq., to Theodosia, only daughter of Lieut.-Col. Polok, C.B., of the Madras army, at the island of Madeira, April 18.

Goode, the Rev. F., M. A., Fellow of Trinity College, Cambridge, and H. G. Chaplain, to Caroline, youngest daughter of J. Driscoll, Esq., of Dublin, one of his Majesty's Counsel at Law, at Calcutta, Oct. 31.

Hamilton, Mr. R., of the Commis. Dep., to Miss E. Jackson, at Madras, Nov. 15.

Hutchinson, Mr. W., son of J. Hutchinson, Esq., of Suttangunge, to Amelia Gregory, widow, at Moorsheadabad, Dec. 10.

- Holson, Lieut. J., 1st Gren. Regt., youngest son of the late J. F. Holson, Esq., Auditor-General, Penang, to Amelia Elizabeth, youngest daughter of the late Major W. Green, at Bombay, Nov. 29.
- Jackson, W., Esq., to Jane, only daughter of the late J. Ewing, of Belfast, formerly Captain in his Majesty's 64th foot, at Calcutta, Dec. 28.
- Knight, the Rev. J., to Mrs. Nichols, widow of the Rev. J. Nichols, at Bombay, Oct. 19.
- Luard, R. D., Esq., H. C. Service, to Mary Anna, second daughter of Maj.-Gen. Sir Lionel Smith, at Poonah, Oct. 24.
- Mowatt, Lieut. J. L., of Artillery, to Anna Maria, daughter of the late H. Ferguson, Esq., at Lucknow, Dec. 13.
- Martin, J. R., Esq., of the Right Hon. Gov. Body Guard, to Jane Maria, youngest daughter of the late Col. J. Paton, at Calcutta, Oct. 26.
- Pringle, D., Esq., Civil Service, to Francis, youngest daughter of the late A. Todd, Esq., of Edinburgh, at Calcutta, Jan. 9.
- Regel, Mr. J. A., eldest son of the late F. C. Regel, Esq., Chief of Sadras, to Miss Martha Jackson, at Madras, Dec. 12.
- Robb, Capt. F. C., Dep.-Ass.-Qu.-Mast.-Gen., to Eliza, widow of the late Lieut. Suter, of his Majesty's 1st Royal Scots Regt., at Calcutta, Jan. 15.
- Smith, Lieut. J., 31st Regt. I. L. J., to Miss Saurel, at Bangalore, Oct. 14.
- Thae, Lieut., of the Royal Danish Service, to Miss Sophia Wodschow, at Madras, Dec. 29.
- Taylor, Carlhand, Esq., of the Horse Artillery, to Emily Maryana, eldest daughter of Lieut.-Col. Chambers, 87th Regt., at Bangalore, Oct. 22.
- Willis, Mr. W., to Miss F. Maybery, of Kidderpore, at Calcutta, Dec. 1.
- Willis, Lieut. E., 26th N. I., to Salomé, second daughter of the late Rev. C. Pohle, at Madras, Dec. 26.

**DEATHS.**

- Athill, Hannah, the wife of Lieut. S., Engineers, and eldest daughter of J. Crasby, Esq., of Herkythioe, near Appleby, Westmoreland, aged 26, at Mhow, Nov. 17.
- Bradby, Capt. E. T., of the 4th Extra N. I., at Allahabad, Oct. 19.
- Budd, Capt. G. H., 43d regt., aged 44, at Wallajahbad, Nov. 20.
- Brodie, Lieut. and Adj. 3d Light Cav., at Madras, Nov. 24.
- Broadhead, Lieut. I. H., H. C.'s Bombay Marine, Jan. 1.
- Becker, Richard, Esq., aged 30 years, Oct. 7.
- Bachman, Mary, wife of Mr. Assistant-Commissioner Bachman, aged 39, at Allahabad, Oct. 28.
- Cowalade, Capt. J. C., 43d N. I., aged 38, near Cawnpore, Nov. 9.
- Clay, Lieut. H. P., 33d Native Infantry, son of the late General Clay, his Majesty's Service, aged 22, at Madras, Nov. 20.
- Chesshyre, Lieut. J., 13th regt., at Baroda, Nov. 22.
- Campbell, W., Esq., late Paymaster his Majesty's 20th regt., aged 61, at Poonah, Dec. 20.
- Cooper, John, only son of the Rev. John Cooper, Hurnee, at Golabah, Dec. 24.

Chitty, P. K., Esq., at Madras, Oct. 8.

Coke, Capt. R., 29th N. I., at Madras, Aug. 24.

Doveton, Ann, second daughter of Lieut.-Col. C. J., 38th N. I., on the Ganges, near Ghazee pore, Nov. 19.

Dyer, Mr., at Serampore Seminary, who was drowned in one of the tanks, Nov. 19.

Dale, Lieut. T., 41st N. I., at Kamptee, near Nagpore, Dec. 16.

Drummond, Wilhelmina Sophia, wife of A. J., Esq., Civ. Ser. Nov. 30.

Dawes, Lieut. J., 15th N. I., at Baroda, Dec. 12.

Dibdin, Lieut. F., 3d Light Cav., at Muttra, Oct. 15.

Elphinstone, Clementina, wife of the Hon. J. R., at Allahabad, Dec. 8.

Garstin, Capt. A., of the 56th Native Infantry, at sea, on board the *Jamet Sibbald*, Nov. 2.

Goodrich, Lieut. S. B., 1st M. N. I., at Mergui, Nov. 10.

Hilton, Annabella, wife of Brevet Captain, 16th Lancers, near Etwah, Nov. 8.

Harrison, Matthew, Esq., aged 37, at Calcutta, Jan. 16.

Harvey, Elizabeth, wife of Mr. J. S., of the Quarter-Master-General Department, at Madras, Nov. 3.

Harding, Mrs., wife of Mr. G., Riding-Master 3d Light Cavalry, aged 37, at Keitah, Nov. 30.

Holland, J. F., Esq., aged 31, at Colombo, Nov. 29.

Haig, Mary, the wife of J., Esq., aged 30, three hours after giving birth to a daughter, at Cuddapah, Sept. 30.

Lindsell, Assist.-Surg., R. 19th N. I., at Secunderabad, Nov. 7.

Lewis, Lieut. H. H., H. M.'s 30th Regt., in camp at Cugole, Dec. 14.

Lopez, Mr. R. F., Writer in the Pay-Office, aged 22, and only four months married, at Poonah, Oct. 1.

Mitchell, Mr. J., late Steward in H. M.'s 16th Lancers, aged 31, at Mecreet, Nov. 11.

Martin, Lieut. J., Interp. and Qu.-Mast. at Lucknow, Jan. 6.

Mackey, Lieut. W., 53d N. I., aged 31, at Calcutta, Jan. 17.

Milbourne, Major R. E., of the Engineers at Madras, Nov. 3.

Macqueen, Capt. D., 2d Light Cav., at St. Thomas's Mount, Dec. 7.

M'Donald, Mrs. A., of the King's Arms Tavern, aged 48, at Madras, Jan. 21.

Newbolt, J. D., Esq., Civ. Serv., eldest son of the late Sir J. H. Newbolt, aged 30, at Madras, Nov. —

Nelson, Lieut., 56th N. I., at Nusserebad, Oct. 19.

O'Neel, Mr. J., of the Revenue Board, at Calcutta, Jan. 10.

Ogilvy, the lady of E. G., Esq., at Cambula, Dec. 9.

Parlby, Lieut.-Col. Com. J., of the Engineers, at Berhampor, Dec. 1.

Peat, Sarah, wife of Mr. W., Master in H. C.'s Marine, aged 30, at Calcutta, Dec. 20.

Petruse, Manuel, Esq., aged 42, at Calcutta, Jan. 21.

Page, Ensig. R. M., Esq., aged 38, at Chowringhee, Feb. 13.

Poulten, Susanna Jane, wife of Capt., 5th N. I., and eldest daughter of J. Leycester, Esq., of White Place, near Reading, county of Berks, at Goa, Sept. 5.



Peat, Sarah, wife of Mr. W. Peat, Master in the H. C. Marine, aged 30, Calcutta, Dec. 20.

Robson, the lady of Capt., 1st Bombay Eur. Reg. a few hours after giving birth to a daughter, at Belgaum, Nov. 22.

Showers, the lady of Maj., 4th Extra N. I. at Juanpore, Oct. 17.

Seely, J. B., Capt., of the Bombay Estab. Author of the 'Wonders of Elora,' 'A Voice from India,' and other essays connected with India, at Colabah, Dec. 20.

Siqueira, Thereza, the wife of Mr. E. J., head-clerk in the Kaira Collectorate, at Kaira, Dec. 20.

Sayer, Alfred, Esq., aged 18, at Colabah, Dec. 3.

Stewart, J. Esq., at Bhaugulpore, Oct. 9.

Simpkins, J. M., Lieut., H. M. 46th Reg., aged 39, at Madras, Oct. 16.

Thomas, Susan, the wife of Maj. M., 54th N. I. at Almorah, Nov. 27.

Thomas, Clarissa Maria, the wife of Lieut., Barrack-Master to Surat, Div., aged 25, Nov. 23.

Tavel, Anna Catharine, eldest daughter of R. S., Esq., at Mattakooly, Nov. 28.

Trotter, J., Esq., Superintending Surgeon, North. Dis., Masulipatan, Sept. 5.

Thompson, Capt., late of H. M. 83d Reg., at Colombo, Nov. 4.

Thwaites, C., Lieut. 1st Light Cav., at Arcot, Aug. 27.

Thompson, G. W., Lieut., H. M. 30th Reg., at Secunderabad, Sept. 20.

Wilmot, E. C., Esq., Civ. Serv., aged 19, at Calcutta, Dec. 24.

Walker, J. N., Esq., Civ. Serv., second son of James Walker, Esq., Blackheath-hill, at Bombay, Jan. 3.

Wyllie, J., Lieut., and Adj. of the Rampoora Local Battalion, aged 29, at Pertabghur, near Neemutch, Oct. 14.

Woodgate, J. Lieut., 36th N. I., at Mundy Cantonment, Amherst, Oct. 14.

Victor, B. L., Lieut., 14th N. I., at Malegaum, Sept. 17.

### SHIPPING INTELLIGENCE.

#### ARRIVALS FROM EASTERN PORTS.

Date.	Port of Arrival.	Ship's Name.	Commander.	Place of Depart.	Date.
1827.					1827.
May 28	Hull ..	Emma ..	North ..	Bengal ..	Jan. 14
May 29	Downs ..	Upton Castle ..	Thacker ..	Bombay ..	Jan. 16
May 29	Portsmouth ..	Robarts ..	Cortyn ..	Bengal ..	Jan. 16
May 30	Downs ..	Lady Raffles ..	Coxwell ..	Bengal ..	Jan. 2
May 30	Downs ..	Abberton ..	Percival ..	Bengal ..	Jan. 3
					1826.
May 30	Downs ..	Morley ..	Holiday ..	Bengal ..	Dec. 24
					1827.
May 31	Downs ..	Asia ..	Adamson ..	China ..	Feb. 1
					1826.
May 31	Portsmouth ..	Mermaid ..	Yates ..	Bengal ..	Nov. 28
June 2	Dover ..	Sir D. Scott ..	MacTaggart ..	China ..	Feb. 14
					1827.
June 4	Downs ..	M. of Huntley ..	Fraser ..	China ..	Jan. 20
June 4	Downs ..	Winchelsea ..	Everest ..	China ..	Feb. 14

## ARRIVALS FROM EASTERN PORTS.

Date. 1827.	Port of Arrival.	Ship's Name.	Commander.	Port of Depart.	Date. 1827.
June 5	Gravesend ..	Isabella ..	Wiseman ..	China ..	Feb. 12
June 6	Portsmouth	Lady Flora ..	Fayrer ..	Bengal ..	Jan. 28
June 16	Weymouth	Rose ..	Marquis ..	Bengal ..	Feb. 24
June 20	Liverpool ..	Gipsy ..	Quick ..	Bombay	Feb. 15
June 21	Downs ..	Lord Lyndock	Beadle ..	Bengal ..	Feb. 6
June 22	Liverpool ..	Perseverance ..	Brown ..	Bengal ..	Feb. 9
June 23	Downs ..	Norfolk ..	Greig ..	Bombay	

## ARRIVALS IN EASTERN PORTS.

Date. 1826.	Port of Arrival.	Ship's Name.	Commander.	Port of Depart.
Dec. 25	N. S. Wales ..	Woodford ..	Chapman ..	London
1827.				London
Jan. 11	N. S. Wales ..	Magnet ..	Todd ..	London
Jan. 24	Calcutta ..	Sophia ..	Barclay ..	London
Feb. 2	Bengal ..	Cambrian ..	Blythe ..	London
Feb. 11	Bengal ..	Louisa ..	Mackey ..	Leith
Feb. 11	Madras ..	Wellington ..	Evans ..	London
Feb. 11	Mauritius ..	Oscar ..	Stewart ..	London
Feb.	Bombay ..	Catharine ..	Kincard ..	Greenock
Feb. 17	Bengal ..	Ceylon ..	Dayison ..	London
Mar. 28	Cape ..	Hottentot ..	Sinclair ..	London
April 2	Cape ..	Ossar ..	Watt ..	London
April 3	Cape ..	Triumph ..	Green ..	London
April 4	Cape ..	Craigleven ..	Ray ..	London

## DEPARTURES FROM EUROPE.

Date. 1827.	Port of Depart.	Ship's Name.	Commander.	Destination.
May 31	Deal ..	Joseph ..	Christopherson	Bengal
May 31	Deal ..	Venelia ..	Walmsley ..	Madras
June 3	Deal ..	Vittoria ..	Southam ..	Singapore
June 4	Portsmouth ..	Lady Rowena ..	Russel ..	Trincomalee
June 4	Portsmouth ..	Henry Porcher ..	Jeffrey ..	Bengal
June 6	Deal ..	Lady Nugent ..	Row ..	Bombay
June 8	Liverpool ..	Woodruff Sims ..	West ..	China
June 10	Portsmouth ..	Diadem ..	Wilson ..	Bengal
June 10	Portsmouth ..	Clyde ..	Munro ..	Bengal
June 10	Liverpool ..	Matilda ..	Bailey ..	Singapore
June 10	Liverpool ..	John Taylor ..	Atkinson ..	Bengal
June 11	Deal ..	Maria ..	Ricards ..	Batavia
June 12	Deal ..	Prince Regent ..	Lamb ..	Bengal
June 14	Deal ..	Noormuhull ..	Hopkirk ..	Batavia
June 16	Greenock ..	Packet ..	MacArthur ..	Bengal
June 16	Deal ..	Scotland ..	Lamb ..	Batavia
June 17	Deal ..	Childe Harolde ..	West ..	Bengal
June 17	Deal ..	George Canning ..	Kent ..	Bengal
June 19	Deal ..	Circassian ..	Danthwaite ..	Bengal
June 19	Deal ..	Parmelia ..	Wimble ..	Bengal
June 20	Deal ..	Lycurgus ..	Crawshaw ..	Mauritius
June 21	Deal ..	Malvina ..	Murray ..	Bombay
June 21	Gravesend ..	Recovery ..	Chapman ..	Bombay
June 22	Portsmouth ..	Sir W. Wallace ..	Brown ..	Bombay

## GENERAL LIST OF PASSENGERS.

## PASSENGERS HOMEWARDS.

By the *Upton Castle*, from Bombay :—Cols. Shuldham, Briggs, Burford, and two children ; Majors White, Hor. Art., and Dunsterville ; Major Wilson, died at sea ; Capts. Cowell and Payne ; Mr. S. Moore and two children ; two Masters Dunlop ; Mesdames Cols. Shuldham and two children, Briggs and one child ; Capts. Powell, Payne, and two children, Bruce, MacIntyre, and Fleetwood ; A. Macintosh and one child ; three Misses Wilson, two of whom are daughters of Col. Wilson, and 95 invalids.

By the *Lady Raffles*, from Bengal and Madras :—Lieut.-Col. C. H. Baines, landed at St. Helena ; Capt. Thorpe, 89th Regt. ; Lieut. J. Davidson ; M. N. S. P. R. Cazalet, U. G. Monk, H. Mathew, and W. Cazalet, Esqrs. ; Masters J. Reynolds, two Wyse, two Thompson ; Mesdames Hopkins and Mathew ; Misses Wahub, Hopkins, Reynolds, Thacker, and Thompsons ; three female servants, European, three Native ditto ; 30 invalids, and two boys.

By the *Abberton*, from Bengal :—Capts. Bell, G. R. Bell, P. Young, and G. Fryers ; Lieuts. Ramsay, C. Boldero, and R. Times ; Ens. Creigh ; Mr. D. Leighton ; two women, and one child.

By the *Ada*, from China :—Master Simoons, from St. Helena.

By the *Morley*, from Bengal and Ceylon :—Sir J. Stoneham, Bart ; Capts. J. H. Grant and M'Leod (died at sea) ; W. W. Baker, Esq. ; Miss J. Bell and S. Hicks ; Mrs. Col. Baker.

By the *Lalla Rookh*, from Penang :—Messrs. W. Hall, R. Snodden, and R. Burnes ; Mrs. Snodden and eight children.

By the *Sir David Scott*, from China :—J. B. Thornhill, Esq., and Capt. T. Shepherd, late of the *Hannah*.

By the *Marquis of Huntly*, from China and the Cape :—H. Magniar, Esq. ; Messrs. Douglas, Mad. Civ. Serv., M'Donald, Simpson, and Campbell.

By the *Lady Flora*, from Bengal :—Lieut.-Col. Campbell ; Maj. C. R. Broughton, B. N. I. ; Capts. W. Harris, 16th Lanc., and C. B. Tarbutt ; Lieuts. Balders, Tytler, and Grant ; Dr. O'Wray ; Masters G. Fraser, three Hickeys, and A. Ainsley ; Mesdames Col. Campbell, A. Colvin, and J. Hickey ; Misses S. Halford, S. Hoyden, Marcus, and two Hickeys.

By the *Rose*, from Bengal :—Lieut.-Col. Bishop, 14th Foot ; Capts. Hazlewood, ditto, and Irvine, Eng. ; Lieuts. Jeveson, 7th B. N. I., and W. Crawford, 1st B. Cav. ; Cor. J. Farmer, 9th B. Cav. ; T. Lewen, S. Taddy, and B. Mathews, Esqrs. ; Masters R. Kensey, E. Browne, and T. Baker ; Mesdames Browne and Mathews ; Misses Browne, M. A. Swinhoe, and E. Hodgson.

By the *Lord Lyndoch*, from Bengal :—Maj. Streatfield and lady ; Capts. Hutchinson, Moore, and Kennedy ; Lieuts. Baylie, Irvin, and Halstead ; Adj. Hasard ; Surg. Brown, 87th Regt. ; Master R. Moorcroft ; Mrs. Carr ; Miss E. Streatfield.

By the *Perseverance*, from Bengal :—S. Williams, Esq.

By the *Roberts*, from Bengal and the Cape :—Lieut.-Col. W. C. Baddeley, C.B. 31st Regt. B. N. I. ; Maj. J. Elliott, 26th Regt. B. N. I. ; Capts. W. G. Osborne, 10th Hussars, and C. K. Newman, H. M. 14th Foot. ; Lieut. R. Dally, Do. Do. ; H. C. R. Wilson, D. Shearman, D. Ross, and R. C. Whaley, Esqrs. ; Rev. J. Statham, Baptist Minister ; Dr. E. Hickman, Ben. Army ; J. C. Burton, Esq. (died at sea) ; Mesdames Col. E. C. Baddeley ; P. Richardson to the Cape ; Capts. J. Read and M. E. Ward ; M. Wilson, A. Gardner, A. Shearman, and E. Ross ; Masters F. C. Baddeley (born at sea) ; E. Richardson and R. Richardson, to the Cape ; R. L. W. Read, H. Read, F. Read, A. Ward, H. J. Wilson, C. M. Wilson, H. Maseyk, J. W. Maseyk, C. B. Maseyk, H. Shearman, G. Benjamin, T. Watson, G. Watson, E. Studd, J. C. Sherrieff, J. U. Sandys, W. E. Sandys, W. Tomkyns, A. F. Lyell, W. Lawson, G. Barnes, J. Harrowell, J. Green, J. Caulfield, J. Bedford, and A. Graham ; Misses E. C. Baddeley, L. C. Baddeley, H. Richardson (to the Cape), H. Read, J. Read, E. Ward, M. Ward, J. Ward, J. E. Wilson, G. Maseyk, M. G. Shearman, A. E. Shearman, A. S. Young, G. M. Ross, R. C. Morton, S. O. Morton, E. Harriett, E. Bedford, S. Nicol, A. Chrichton, C. Chrichton, J. Graham, and A. Hickman (died at sea).

# THE ORIENTAL HERALD.

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## DOMESTIC SLAVERY.

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ITS EFFECTS ON NATIONAL WEALTH, ON GOVERNMENT, AND ON THE CHARACTER OF NATIONS.

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A PROFOUND and valuable work has just appeared in France, entitled, 'A Treatise on Legislation, or an explanation of the general laws by which nations prosper, decline, or remain stationary. By Charles Comte, avocat à la Cour Royale, de Paris; in 4 vols. 8vo. Published by Santelet, Librarian, Paris, 1827.' The space afforded by a review is necessarily too limited to allow us to give an analysis of this great work. The vast variety of the facts it contains, and the knowledge which it implies, makes it impossible to epitomise or give a just idea of it, in a few pages. Besides, though the main subject is not, as might be supposed from the title, jurisprudence, but the laws to which Nature subjects man, we must confess we frequently need that degree of knowledge which could enable us to hazard our opinion on several of the great questions it proposes.

But we flatter ourselves we may do what will prove agreeable to the readers of this Journal, and above all, what may be useful to society, in detaching from this work an important chapter,—a chapter which of itself makes a complete work, and upon which we ardently desire to fix the attention of our contemporaries. Mons. Comte has consecrated his fourth volume, containing 536 pages, to his fifth book, entitled, 'Domestic Slavery considered, in the facts which constitute it, and in the effects which it produces on the intellectual, physical, and moral faculties of the various classes of the people; its effects on wealth, on the nature of government, and the reciprocal relation of nations; and on some kind of associations which resemble Slavery.'

We regard this work as the most complete, learned, and philosophical treatise, that has ever yet been written on slavery and its disastrous effects. Humanity has doubtless inspired many eloquent discourses against an institution so disgraceful to our species, but hitherto the slave-owners have despised them, or considered them only as im-

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practicable theories, founded on the writer's ignorance of facts ; here, however, facts are presented to us, facts of every age, and of every region of the globe, and they are presented to us with a precision, exactness, and authenticity, that leaves no doubt of their truth, and of the conclusions to be drawn from them.

Slavery is so distant from the manners, habits, and even memory of the French, that there are not a few among them who would look upon a treatise on the fatal consequences of slavery with the same eye that they would regard a treatise on the errors of paganism ; or at least they would believe it applied only to some distant isles of America, or to the fate of a race for whom they felt no sympathy. They have so often heard it repeated that Christianity had abolished slavery, that they pay no attention to the assertion of its not having been really abolished in England till the year 1660, by statute the 12th of Charles II., chap. 24 ; nor in Western Europe, till the eighteenth century ; and, that in Eastern Europe it has never ceased to exist. So far, indeed, from the cause of the abolition of slavery being gained, a great revolution has taken place, and is still going on under our eyes, by which whole countries are suddenly raised to the rank of powerful and civilized states, where slavery is instituted by law, and which may hereafter give a most alarming preponderance in the balance of the universe to those countries governed by slave-owners.

The great mass of the population of Russia and Poland are slaves, as well as is nearly one-half of the Austrian States ; and never has the power of Russia and Austria been of such weight in Europe as in our days. England, France, and Holland, maintain slavery in their colonies, scattered through Asia, Africa, and America. Spain and Portugal maintain slavery in the few colonies left them : ten, out of the two-and-twenty States of America, and those the largest and the most happily situated, maintain slavery. In all British India, over the whole of that part of Asia which is tributary to England, slavery is legal, without, however, being very common. Lastly, in almost all the colossal Republics of America, (late colonies of Spain and Portugal,) slavery is still legal, though measures are taken for its future abolition, but they are constantly attacked or eluded by the passions or prejudices of the people. These, nevertheless, are the states which now form Christendom and the civilized world ; these are the states which dictate laws to others. Certainly, when the sovereign power is in the hands of so many slave-owners, the time is not come in which we may declare the abolition of slavery accomplished ; on the contrary, we ought more than ever to collect facts, to study and to publish them, in order to deter rising nations from continuing a system so iniquitous.

Slavery, although still continued by civilized states, evidently originated in the abuse of victory among barbarians. The conquerors, instead of putting to death the vanquished, thought it more

humane, and, above all, more profitable, to preserve their lives, in order to make them work for them. Mons. Comte, according to the title of his book, examines what has been the result of this calculation on the physical, moral, and intellectual faculties of the conquerors, as well as the vanquished. He begins by acknowledging, that the physical organs of the masters are not necessarily deteriorated by slavery; the bodily strength is maintained by wholesome and abundant food, by sufficient exercise, and by the choice of those by whom the race is propagated. The masters, in a barbarous as well as civilized state, unite all these advantages. Their food is always certain; habit, pleasure, and even policy, make them continue those exercises which fit them equally for war or the chase; and, lastly, they might, if no aristocratic prejudice prevented them, choose their wives from among the most beautiful women, as the Turks and Persians, who have in this manner constantly improved the beauty of their race.

But slavery must necessarily vitiate the physical organization of slaves; for, instead of having the food they need, their nourishment, apparel, and habitations, are according to what it pleases their masters to allow them. All exercises that may tend to give them strength, agility, and courage, are forbidden, as serving to render them dangerous to their possessors. The few mechanical operations in which they are employed for the interest of their masters, can only develop a part of their organs, and even this is limited, because a forced and excessive exercise, accompanied with privation of food, is productive of weakness rather than of strength. Add to these considerations, that slaves can only have the least handsome women for their wives, the more beautiful even of their own race being selected for their masters; and it will easily be imagined how their own race must become daily more and more degraded.

But the development of the physical organization ought to be considered, particularly with respect to the power it gives man over matter, by employing it to the satisfying of his wants. Now slavery arrests this progress of industry in the master as well as the slave. The first effect it produces, with respect to the former, is disengaging him from all that kind of labour which furnishes man with the immediate means of existence; the second, to make him look with contempt on it. Anciently, only one profession was looked upon as not debasing, that of hiring, buying, or selling men. Octavius was reproached with one of his ancestors having held a bank; while Marcus Cato trafficked in men; he sold, particularly, the old who brought him but little profit, and who might soon have become useless; yet this Cato was the guardian of public morals.\*

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\* Plutarch's *Life of Marcus Cato*, p. 402.

This contempt of all manual labour, which was called servile, was universal among the Greeks and Romans; it is universal, also, among the master colonists. Even the European mechanic, debased by crime, no sooner becomes possessed of a slave, than he looks upon manual labour as derogatory to his dignity. The Dutch, who at home can so well appreciate all kinds of useful work, at Batavia and the Cape of Good Hope, feel an insurmountable aversion to, and contempt for it. The English at St. Helena, in Jamaica, and in all their colonies; the Anglo-Americans, in the ten southern states; in like manner renounce all industrious occupations. In Hungary, Poland, and Russia, the proprietor never works; the serfs labour only on cultivating the earth; all other kinds of industry are confined to the Jews, who, already despised, will not be more so from their being useful. Thus, though slavery does not necessarily vitiate the physical organs of the upper class, its effect is to render the exercise of this class null, as it regards all kinds of work necessary to the existence of man. They are no more than instruments, useless to the great mass of human nature, and serving the individual possessing them only in inflicting evil on others. If, by some great catastrophe, the whole race of slave-owners were to be suddenly destroyed, there would be no work suspended, no wealth lost; nothing would cease with them but the sufferings they inflict on their slaves.

The progress of industry is in like manner stopped by the state of debasement to which the master reduces the slave, as it is in himself by his contempt for all kinds of occupation. The slaves of the present day are incapable of any labour which demands intelligence, taste, or attention. It is probable that the great works of Roman antiquity were executed by men formed to industry while free, and reduced by war to slavery; for, after the Romans had conquered the civilized world, and could no longer find slaves except among barbarians, the arts and every kind of industry declined, and they became themselves barbarous.

Let us now see, with our author, what effect slavery produces on the intellectual faculties of both the masters and slaves.\*

With respect to the masters, we must distinguish those who enjoy political liberty from those who are deprived of it. In the first case, the intellectual faculties which serve to operate on men make progress, while those which operate on matter remain undeveloped. In the second, neither the one nor the other are exercised. The natural indolence of man makes him prefer force to reason, command to persuasion, whenever he has the choice. But anciently, the citizen of free states, not having the power of commanding his equals, as he did his slaves, was obliged to learn the art of persuading them. He then studied man as his equal, on whom he

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\* Chap. iv. p. 54.

was to act by persuasion ; but he did not study nature, upon which he was to act only through the arm of his slaves. The means of saving them a little fatigue, was not worth the trouble of discovering ; all application of science to industry appeared to him degrading ; when he lost his political liberty, he had no longer any interest in studying man ; he had no more than before in studying nature ; he renounced a work without any object, all kinds of knowledge were extinguished, and a return to barbarism was the consequence.

The English are the only European colonists who have obtained from the mother country any political power ; they are, accordingly, the only ones who have felt the need of an intellectual development, in order to acquire some power over their equals, by the only means allowed by political liberty. In the colonies of other nations, governed by the metropolis with absolute power, the masters having only to command and obey in turns, have evinced all the stupidity naturally belonging to despots and slaves ; if we except a few individuals sent for education to the mother country, far even from the sight of slavery. Our author proves by facts, by the circumstantial evidence of all travellers, the contempt for every kind of instruction among the Dutch colonists of the Cape of Good Hope, among the French colonists of Louisiana, and among the Spanish colonists in those provinces where slaves are most numerous.

As there is real political liberty in the United States, so is there some progress of the human mind, even among the slave-owners there ; but the citizens of the southern states exercise only those faculties which operate on man, while those of the northern states call into action the faculties operating on men and things, and show themselves equally fitted for all the arts that create wealth, and all those that secure power. Washington, destined to fight or to govern, might have been born in a land cultivated by slaves ; but Franklin, destined to enlighten the world, and to increase the power of man on nature, could have been born only in a country where the arts are exercised by free hands.

With respect to slaves, the inevitable effect of their condition is to destroy in themselves all intellectual progress ; accordingly, in the American colonies, where manual labour is executed wholly by slaves, the masters are obliged to import from countries where slavery is not admitted, every kind of merchandize requiring some intelligence to produce. The master may employ his slave to cut down trees, and transport them from one place to another, but if it be necessary to build ships, he must send those trees to countries where free workmen are to be found. He may make his slaves till the land so as to produce corn, but when he would convert the corn into flour, he must send it to places where workmen are found capable of constructing mills. Slaves are not even competent to all the care that agriculture demands. They have not sufficient intelligence or attention to cultivate the kitchen-garden, or fruit-



trees ; in short, their incapacity is such that agriculture is still in the rudest state. The masters are obliged to import from England their charcoal, though they have large forests within the distance of six miles ; sometimes even they import the bricks with which they build their houses.

The incapacity of slaves for all kinds of work is easily accounted for. The hand never executes well what the mind has not well conceived. Our physical organs are only the instruments of our intelligence ; and when the intelligence has received no development, it can but ill direct the organs which are at its disposition. In those countries where slavery is established, not only the masters are incapable of improving the intellectual faculties of the slaves, but they universally seek to debase them : the feeling of security, stronger than the passion of avarice, induces them to reduce their slaves as nearly as possible to the state of brutes. Robin relates,\* that a French colonist of Louisiana frequently declared he feared nothing so much as a clever negro ; that he employed all his attention to render his slaves stupid. He succeeded but too well. These colonists do not judge differently from the ancient Romans. Cato the censor saw nothing more dangerous than intellectual slaves : when his slaves did not labour he condemned them to sleep, so much did he fear giving them any time to think.† The Anglo-Americans of the southern states, who are at present the least ignorant and least brutal of slave-owners, reject, nevertheless, with horror the idea of teaching their slaves to read : the colonies subject to England see with not less terror the efforts of many of the inhabitants of Great Britain to spread instruction and the Christian religion among the negroes.‡

But if slavery condemns the master to despise industry, and the slave to be incapable of it, is there any resource for the nation in the class of those who are neither master nor slave ? No : for in a country where slavery is established, a man who belongs to neither of these two classes, is obliged, unless he carries his industry elsewhere, to remain either idle or despised. If freemen consent sometimes to work, it is only in proportion as the wages are high, to compensate the contempt attached to labour : and even then a freeman purchases slaves, or removes to another country as soon as he has accumulated a little wealth.\* The state of the *proletaires* in the Roman Republic deterred from all work, either by the contempt it incurred, or by the concurrence of the slaves of the Patricians, is a remarkable and terrifying example of the degradation and poverty

\* Travels in Louisiana, tom. iii. chap. lxxviii. p. 197.

† Plutarch's Life of Cato.

‡ See the Debates in the House of Commons of the 23d June, 1825.

\* La Rochefacault's (2d part) Travels in the United States, vol. iv. p. 293. 294.—3d part, vol. vi. p. 75.

to which slavery reduces that part of the nation belonging to neither class of masters nor slaves.

These are the effects of slavery upon the physical organization of man, upon industry and upon intelligence ; its effects on morals are still more degrading. The love of idleness, the absence of all intellectual and physical activity, the possession of wealth, suddenly acquired by pillage, gave birth in the Romans to a passion for all sensual enjoyments : the gluttony and voraciousness of the nobles reached a point that it is impossible in the present day to form any idea of : the earth was ravaged, to supply their debauches, and the riches of a whole province were sometimes swallowed up in one feast ; the house of a noble was crowded with slaves of both sexes ; the morals of the master soon felt the effects that might naturally be expected from such a system. The Roman history furnishes striking examples of the most scandalous depravity ; Mons. Comte cites two instances during the brilliant period of the Republic. The condemnation of a hundred and sixty wives of senators, convicted of a plot to poison their husbands who had neglected them for their slaves, and an association of men and women to give themselves up to one common debauch, discovered in the year 539 ; the guilty persons, of which the greater number were women, amounted to more than 7000 : more than half suffered death for it. Weregret our limits do not permit us to follow our author, when he shows us the degradation of the Romans continually augmenting with the progress of riches and luxury ; the allowance of food to the slaves continually diminishing ; their punishments becoming more atrocious ; the revolts, the servile wars ; the private revenge of slaves multiplying the chances of danger for every master, and for the state itself.

Whenever men are condemned to labour without repose, and without profit, are masters of no one of their own actions, are constantly exposed to contempt, insult, and arbitrary punishment, simple death ceases to be an evil to render it terrible ; it must be accompanied with tortures which exceed by intensity the sufferings drawn out through a long course of life. It was necessary then for the Romans, in order to punish their slaves with death, to invent one that could terrify men weary of life : these executions were directed by the caprice of the masters, since the laws regarded slaves only as property : and the one most generally adopted was that of mangling the body with the whip, and afterwards nailing it to a cross ; the torment of the person thus put to death lasted several days, unless the executioner in pity touched some vital part. The writers who have given us a description of this mode of punishment, do not say that women or very young children were exempted from it when doomed to death, because their master had punished from an unknown cause.

Mons. Comte passes afterwards in review the modern colonies,\* to show that slavery has always produced every where the same effects,—intemperance, profligacy, and ferocity. We abstain from retracing here the most repulsive part of the picture: it is too painful to dwell on the sufferings of so many millions of human beings who still languish in misery. We will content ourselves with stating some facts and their conclusions from the different chapters, for which we will continue to employ the terms of the author.

Whenever a slave gives birth to a child, the colour of it decides to what race the father belongs; it is the more difficult to be deceived on this subject, as there are no marriages between a white and black; every child of mixed blood has been the fruit of an immoral connection, generally the consequence of the violation of the slave by the master. Vaillant observes, 'on arriving at the Cape of Good Hope, one is astonished at the multitude of slaves one sees as white as Europeans, nevertheless no white man has ever been reduced to slavery in this country; on the contrary, the slaves have always been of Ethiopian origin.' A tawny race is produced from connections of the masters with their negro slaves, and again from their connections with the tawny women are produced a race less dark; and so on, till the traces of the Ethiopian blood have disappeared, and the slaves finish by being of the same species as their masters. But there is a fact in this change of race important to observe, because we shall find it in almost all the other colonies. A colonist never grants freedom to children born from him and his female slaves: he exacts from them the same submission and labour he exacts from all his other slaves; he sells, exchanges, or transmits them to his heirs, according as he judges convenient. If one of his legitimate children succeeds to the possession of them, he too makes not the last distinction between them and his other slaves: a brother thus becomes proprietor of his brothers and sisters; he exercises the same tyranny over them, he exacts from them the same labour, he mangles their bodies with the same whip; he, in like manner, subjects the females to his brutal desires: this multitude of white slaves are then almost always the fruits of adultery and incest. A traveller observes,\* that there exists so little affection between relations in this colony, that one scarcely sees two brothers converse together. How is it possible any brotherly tenderness could subsist in a man who has ten or twelve brothers and sisters whom he considers as the vilest of his property, and on whom he exercises his most brutal passions?

The soil is poor at the Cape of Good Hope: it is employed chiefly in feeding cattle, and produces the same kinds of grain which grow

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\* Of Holland, chap. vii. p. 106; England, chap. viii. p. 140; Anglo-America, chap. ix. p. 159; France, chap. x. p. 187; Spain, chap. xi. p. 198.

\* Barrow, vol. i. p. 130.

in Europe ; neither of these productions require long or painful labour, the necessities of life are always those which demand the least fatigue, and which are cheapest. Accordingly, in general, at the Cape the work of the slave is not excessive, and he is abundantly nourished. In the Dutch Guiana, on the contrary, the soil is so fertile as to produce sugar and other growth of the tropics : these productions, obtained by constant and hard labour, are generally destined to exportation ; as their sale is easy, the masters are interested in exacting from their slaves the greatest quantity of work possible ; as, on the other hand, the necessities of life are scarce and dear, they are allowed only what is absolutely sufficient to sustain life. This difference exists not only between the Cape and Guiana : slavery, every where cruel and degrading, is nevertheless alleviated in pasture countries by long rest and sufficient nourishment, in those countries which cultivate grain, the labour is more rude and unbroken ; but not, however, to such a degree as to hinder the slave population from increasing ; but where coffee, cotton, tobacco, and, above all, sugar are cultivated, the labour is severest, the food most scanty, and the mortality infinitely greater than the births.

Female slaves, who are unfortunately distinguished by personal beauty, have to fear not only the unlawful desires of the master and overseers on whom they depend, but also atrocious chastisements, in order to subdue their resistance, or to punish them ; and lastly, the jealousy of the white women. A woman, when she chastises one of her slaves, seeks always to disfigure her : the blows of the whip, sometimes even the stabs of a dagger, are directed on the bosom. Stedman relates an anecdote of a Creole lady, who observing in her plantation a young and beautiful slave, ordered a hot iron to be applied on her forehead, cheeks and lips, and the tendon Achilles to be cut : she was thus instantly changed from beauty to deformity.\*

After many facts which prove how much slavery corrupts morals in the English colonies, and in those of the United States, the author cites a law in these last, more odious even than actions resulting from the indulgence of the viler passions. It is expressly forbidden any slave-owner to improve the intellectual faculties of his slaves : he who should be convicted of having taught one of them to read, shall be condemned to pay a fine seven times greater than he would incur for cutting off their hands or tongue, or otherwise maiming them ; in the last case he would only be condemned to a fine of 14*l.*, in the former to one of 100*l.* It is equally forbidden to permit a slave any traffic for his own profit ; no assembling of slaves is allowed : if a white man meets on the high-road more than seven collected together, he is bound to administer the whip on them, not exceeding twenty lashes to each person : if a slave presumes to de-

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\* Stedman's *Travels in Surinam*, vol. ii. p. 170, 171. ; vol. iii. p. 101, 102.

fend himself against a white man, he is punished as having been guilty of the blackest crime. No individual, either negro or of mixed blood, can appear in the streets after night-fall without a special permission ; the delinquents, either free or slave, are carried off by a military police, who continually parade the streets, and punish them according to circumstances.\*

Slavery was legal in all the Spanish colonies, but in those which made a rapid progress in prosperity, the negroes were few, or almost none, while the conquered race of indigenous men, though subject to the hardest government, were still not reduced to slavery. With the exception of Cuba, and some other points producing the fruits of the tropics, and subject to the rule of the plantation, labour was executed throughout Spanish America by free hands ; it was respected ; and this single circumstance served to compensate for a despotic government the vigilance of the inquisition, and all the precautions taken to prevent instruction, and to stop the progress of civilization. Mons. Comte proves by a series of facts, that in all the Spanish American colonies the progress of the human mind, industry, population, and morality, have always been in an inverse ratio to the number of slaves, and to the severity of their treatment.

After having proved that slavery vitiates the physical constitution of those reduced to it ; that it renders the master incapable of any kind of work, and the slave incapable of any labour proportional to that of a free man ; that it disgusts the first from all exercise of the mind, and forbids it to the last ; that it prevents the formation of a middle class, neither master nor slave, or, if they do exist, they are forced to emigrate ; that while it creates the most infamous morals in the master, leaves not the slave even the pretension of having any, by depriving him of every exercise of his will, or direction of his action ; it is already demonstrated that a more fatal institution than slavery cannot be introduced into society. But this is not all : Mons. Comte proceeds to examine the effect slavery has had on the individual liberty of the master—upon the increase of wealth and of population—upon political liberty—and upon the independence of nations ; and in each of these new points of view he shows, from universal experience, that this horrible institution, whenever it is tolerated, is not less fatal to the master than the slave.

In countries where slavery is admitted, a dreadful calamity continually threatens free men, from their station in life being questionable ; in fact, if a person is presumed free till it has been proved he is not, how could masters keep their slaves, or pursue them if they escaped ? If, on the contrary, every individual is presumed a slave till it has been proved he is free, would not free persons be perpetually exposed to be treated as slaves ? †

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\* *Travels in Canada and the United States*, by F. Hall, p. 424.

† Chap. xii., p. 223.

No crime was more frequent among the ancients than child-stealing; slaves frequently took that method of avenging themselves on their masters: they carried off the child intrusted to their care, either from revenge, cupidity, and sometimes, perhaps, tenderness; and afterwards, when pressed by want, sold it. Ancient comedies continually allude to this crime; and the history of Virginia shows us, that adults, particularly women, were not exempt from this question of station, which might legally deprive them of their liberty and honour. Every one of Ethiopian origin in the English colonies, or bearing the slightest tinge of the colour which distinguishes that race, is presumed a slave till he proves the contrary. A white man of pure race might take possession of every person, man, woman, or child, who happen to be a little dark, and keep him as his property, until the person of colour proves he is free, or till he is claimed by another proprietor. He who can possess himself, either by art or violence, of the legal deeds which prove an individual free, might, by that act, make a slave of him; and to appropriate, it is sufficient to take possession of him.

The degree of misery and danger which presses on every individual of the tawny race in the European colonies, and in those of the United States, by this established rule, is not to be imagined; nor the horrible kind of robbery by which free men or women might be carried off from the northern states where slavery is abolished, to be sold in the southern states; nor the infamous abuse that is made of pretended contracts of apprenticeship, to retain in positive slavery men who have a legal right to liberty. These misfortunes, it is true, till now, have only fallen on a race for whom the whites have shown neither charity, sympathy, nor pity: a race from whom they look upon themselves as disengaged from all moral duty, and from all religious feeling, which binds us not only to men, but to every creature that can feel and suffer. But the vices of the Europeans will at last avenge the negroes. We have already shown that the children born from their profligacy approach so nearly in colour the white race as to be no longer distinguishable. The moment is come when children completely white may be stolen from their rich parents, and sold as belonging to the mulatto race, either as children or grandchildren, without any possible means of reclaiming them.

Proceeding to the influence of slavery on the distribution of riches,\* Mons. Comte protests, with reason, against the immorality of this question. To ask if the work performed by slaves be less expensive than that executed by free men, is like asking if property gained by robbery on the high-way costs less than that which is acquired by some degree of industry. It is still worse: it is considering the largest part of mankind as a sort of productive machine that has the more value in proportion as it absorbs a less considerable

part of the wealth it produces. But after having made us feel how ill-placed this question is, he proceeds not less to demonstrate that the labour one man obtains from many others by the force of blows, costs him more than the work obtained from men paying them just wages.

It might be proved to the slave-owner, in casting his accounts, that it would be for his own profit to abolish slavery; but the national account, that which our author makes, is far more important. He demonstrates that the system of slavery creates, distributes, and accumulates much less wealth than any other by which the work of society could be executed. In fact, in a slave country, where the masters feel an equal degree of disgust as shame for all kinds of employment, their physical force, as well as their intellectual moral faculties, are lost for the production and preservation of wealth. The idleness to which they are condemned gives birth to a passion for all physical enjoyments, to every thing that could interrupt the monotony of their existence—the pleasures of the table, women, gaming: in short, all the vices which rapidly dissipate the riches produced by the industry of others. In this same country, beside the masters, there are only slaves; every other class have necessarily disappeared, and the slaves have nothing, and could accumulate nothing; they have reached the last degree of poverty and degradation to which men can arrive. Three causes have contributed to brutify them: *first*, the pains their owners take to render them stupid, in order to secure their own safety: *secondly*, excess of labour, which gives them no time, even for thought: and, *thirdly*, the complete absence of every desire to instruct themselves. A slave is accountable only for the employment of his physical strength, and when he has delivered the produce of that to his master, there are no further demands on him.

Deprived of intelligence, the slave, with a given quantity of labour, does the least possible work. Deprived of all interest in the wealth he creates, with a given allowance, he makes the greatest possible waste; for there is only danger for him in economising. A country cultivated by a slave population has only the physical organs of the slaves, destitute of every principle of intelligence, and stimulated only by the whip, as its means of producing wealth. Corporal punishment may easily exact certain motions of the body, but it cannot create the energy that free will gives; or if it could, a strength destitute of address, intelligence, and morality, could not produce riches, much less preserve them, however otherwise energetic.

We are ill informed with respect to the industry of the ancients; it appears that it prospered only in those states where the slaves, few in number, were associated in the work, instead of being exclusively charged with it. It was the same thing with respect to agriculture; it prospered under the consular hands, but in propor-

tion as the number of slaves increased in Italy, the country lost its fertility, and was at length converted almost entirely into pasture land. But we can better judge of the effects of slavery on the distribution of wealth in the modern colonies. Agriculture is the only branch of industry subsisting, and it is exercised without care or intelligence; a succession of crops which exhaust the land are taken from it without interruption or repose. Slaves, whom no interest excites, hardly do a tenth part of the work, according to the report of travellers, that labourers execute in a free country;\* the produce of their labour must then, of necessity, be dearer. The deterioration of the soil is an acknowledged fact in all the colonies where slavery is established, as well as in the southern states of America. All kinds of handicraft are above the capacity of the slave. The inhabitants of the southern states are obliged to call, at a great expense, workmen from the northern to build their houses; but these workmen return as soon as the business for which they were sent is finished. To repair their houses, therefore, they must wait till some new building, perhaps after many years, recalls these workmen. Accordingly, few houses are in good condition, and it happens sometimes to see a sumptuous table, covered with silver, spread in a room where there has been no glass to the windows for ten years.† These are the results of slavery: the masters must import a great part of their food, and the whole of every kind of manufactured goods. They pay dearer for all labour demanding any intelligence. They receive from their estates only half the revenue they would draw from them in a free country; for it is in that proportion that the sale of land, of equal fertility and extent, is established. The slave-owners live in a continual state of distress. According to a report presented to the House of Commons by an assembly of the colonists of Jamaica, they are loaded with debt, and one quarter of their sugar plantations have been sold within the space of a few years by authority of justice.‡

In investigating the influence of slavery on the increase of population in the different classes, Mons. Comte lays great stress on this principle: that as the population can only augment with the augmentation of the revenue, and that as each master consumes the revenue created by five or ten slaves, the population of the first class can only increase in proportion as the slave population increases five or ten fold;§ but as the population of the slaves, so far from augmenting, rapidly diminishes, the growth of the white population supposes, indeed necessitates, an augmentation five or ten times greater by the slave trade, with all its accompanying horrors.

The author sums up, in these terms, a chapter upon the influence

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\* Robins's Travels in Louisiana, vol. i. c. vi. p. 92.

† Rochefaucault's Travels in the United States, vol. v. b. ii. p. 95.

‡ Report of the 25th of February 1825. *East and West India sugar*, pp. 121, 122, 123.

§ Chap. xiv. p. 283.



of domestic slavery on the spirit and nature of government.\* Thus, in a state where one part of the population is in possession of the other as property, we find that great numbers of the first are naturally disposed to invade the power and possess themselves of the wealth of others; and that the second, that part of the population that live only by their labour, whom slavery debases or prevents from all works of industry, are equally disposed to league with any individual who purposes to subdue or destroy the class of masters. Lastly, we find that the most violent despotism, as long as it weakened or destroyed the power of the master, would be a blessing for the slave. Thus, the tendency of the great mass of the population is towards the establishment of a single despot; and when despotism is established, it is exercised with the same rapacity, brutality, cruelty, and stupidity, that the masters always practised towards their slaves.

From the facts collected to exemplify the influence of slavery upon the independence of nations,† there results two important truths: first, that whenever one people subdues another and become slave-owners, they place themselves by this single act between two enemies, they expose themselves to be massacred by the men they possess, or to be subdued by foreigners; secondly, whenever a coalition is formed between internal and external enemies, the masters have no means of defence.

But we must finish this long extract, though seven other chapters remain to be analysed. None, perhaps, better merits attention than that which treats on the reciprocal influence of slavery on religion, and religion on slavery.‡ It is impossible by an extract to supply the work itself; we attempt only to inspire a desire of reading it, by showing how little before Mons. Comte the effects of slavery have been studied; how important its history is in the general history of mankind; what light it throws on the rapid decay of the great people of antiquity; and what great calamities and sufferings it foretels for modern nations, who obstinately persevere in continuing this corroding evil. No one can read Mons. Comte's book without perceiving a new light thrown on slavery; certainly we did not, before opening it, believe ourselves indifferent to the sufferings of our fellow-creatures, or lukewarm in our sentiments on this great crime of nations; nevertheless, the reading this work has been a sort of revelation to us of all that this system has of most absurd, atrocious, and ruinous; of its efficacy in destroying all that gives worth to human nature or value to life. We ardently desire to give to others the same impression we have received, for we repeat, so far from slavery being only a calamity of past times, it is present, it is menacing, it is spread among nations destined but for that to increase with extreme rapidity, who are possessors of the finest parts of the habitable globe. Never, perhaps, was it more important to the

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\* Chap. 15. p. 229. † Chap. xvi. p. 330. ‡ Chap. xviii. p. 378.

fate of mankind to show what slavery necessarily effects, in order to dry up this source of misery, stupidity, and crime, in countries just rising into civilization.

*Geneva, June 1827.*

J. C. L. DE SISMONDI.

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THE CLOUD.

How pure is the breeze in the fresh morn awaking,  
That chases the silvery mist as it flies !  
While the lark from his nest in the wild thyme is breaking,  
And hurries from earth to rejoice in the skies.  
So sweet was the dawn when the pale stars among  
A transparent and spirit-like vapour was driven :  
So light, and so soft, and so distant it hung,  
'T was like timid devotion aspiring to heaven.  
It caught the first rays of the sun, and it blush'd,  
As a girl blushes joy at the whisper of love :  
And it shone 'mid the splendour around it that gush'd,  
Like a flower with her gold-gleaming ringlets inwove.  
It was day—and the cloud was an island of white,  
And as calm as the heart of an infant it lay,  
'Mid the far-spreading ocean of purple and light,  
A bower where the thoughts from this planet might stray.  
And fairly it show'd in the lustre of noon,  
Like the halo encircling Titania's repose,  
Which veils her thin form, till the cool yellow moon  
Calls her forth to the revel at eve's starry close.  
Now high rush the breezes—and blackening and swelling  
The cloud o'er the sky spreads its storm-laden wings ;  
The mountains, the sea, in its darkness are dwelling,  
And earth is oppress'd by the shadow it flings.  
Then its wrath flashes forth like the Cherubim's swords,  
And is rolling through heaven the rattle of thunder ;—  
The voice that it utters to man is the Lord's,  
And the presence of God rends the concave asunder.  
The tempest has fled, and the grey sky is gleaming,  
While through the soft rain it breaks out like the smile  
That through tears of delight and affection is beaming,  
When Hope can the fond heart from anguish beguile.  
And the free birds exult, from the forest upsoaring,  
That Nature's dark moment of sorrow is done,  
And, like fountains of rapture, their melody pouring,  
They wanton and worship in gaze of the sun ;

And brightens the airy and delicate cloud,  
With the arch that still shines as it shone at its birth—  
When o'er Ararat's desolate peak it was bowed,  
And the shadow of God was a glory to earth.

But the bow that in mercy was sent to mankind,  
And that rears for our longings a path to their goal,—  
Now fades from its home, and dissolves in the wind—  
And uncrowned by the radiance the green waters roll.

And again the bright cloud is as calm as the brow  
Of an angel who looks with compassionate ken  
At the strife and the darkness that glimmer below—  
And the frenzies—and follies—and sorrows of men.

While round it the earth's dewy odours arise—  
In the blue vault it sleeps so etherial and pure,  
That my soul with my gaze wanders up through the skies,  
In that cloud to repose undisturbed and secure.

The sultry noon's glare is all softened and tender,  
And hurries the sun into evening's dim breast—  
While the firmament's purple, wide-steeped in his splendour,  
Drinks beauty's deep charm from the hues of the west.

And the cloud 'mid those beams which, like Eden's lost rivers,  
Shed o'er it their billows of amber and rose,  
As with Love's happy pulses all tremulous quivers,  
And bathes in the brilliance around it that glows.

While its colours on ocean are flashing and streaming,  
And Eve's fairy robes the horizon enfold,  
Like a gem in the sun's broad tiara 'tis gleaming,  
And blazes with crimson or melts into gold.

But the wide floods of brightness behind it expanding  
Now soften to shadow and fade from on high,  
And the day-star on ocean no longer is standing,  
To spread, as a giant, his arms through the sky.

And the cloud, 'mid the dimness of evening's dominion,  
No more can be clothed in its gorgeous array,  
And the diamond-wreathed purple that glowed on its pinion,  
Is quench'd in the darkness of evening's decay.

So vanish the dreams with whose sky-woven glory  
The spirit encircles the thoughts of its youth,  
And but leave to their victim, when withered and hoary,  
The gloom and the coldness of life's dreary truth.

PHANES.

## RECOLLECTIONS OF THE SOUTH OF ITALY.

## No. II.

*Sicily—Palermo—La Favorita—Capucins—Roads—Carriages—  
Inhabitants—Gambling—Music, &c.*

THE south of Italy is proverbial for the balmy softness of its climate and the enchanting character of its scenery ; and Naples, in particular, is an inexhaustible subject for the praises of those who have partaken of its fascinations. Sicily has fewer eulogists, only I am inclined to think because fewer have visited it. Its shores are not less romantic, nor is its winter temperature less genial ; its products are as varied and its scenery as picturesque. Etna surely yields not to Vesuvius, nor are the Temples of Segesta and Girgenti less graceful and lovely than those of Poestum.

The passage from Naples to Palermo may in ordinary weather be performed in about 25 hours by steam. Sailing vessels are of course more uncertain, and have frequently been ten days on the way. The approach to Palermo is strikingly beautiful—the headlands and promontories are of the most bold and picturesque description, and the town is situated in the sweetest bay imaginable. The harbour is spacious, and seems secure, and there is considerable indication of stir and business on the quays : few vessels of magnitude were there, but the harbour was well stocked with craft. The arrival of the steamer in which I was a passenger, seemed to create a good deal of sensation, and a variety of boats immediately surrounded her, some from the health-office, others from the customs, some containing people in search of friends, others bearing all the varieties of *sharks*, which here, as at other sea-ports, are constantly in wait for prey. There was but one hotel in the town, and that but an indifferent one. The general plan of the town is that of a Greek cross, which is formed by the two principal streets, the angles at the points of intersection being scooped out, so as to leave a *place* of considerable size in the centre. The rest of the town is composed of a variety of smaller streets, running generally at right angles into the principal ones ; the town is not handsome, and there are few if any buildings remarkable for their architecture, (a reproach to which, it may be observed, Naples is equally obnoxious ; ) still it has the air of a large, wealthy and important city : the houses look old, and many of them have a venerable and even magnificent appearance : the principal streets are crowded, and the shops are numerous and apparently well frequented. The churches are spacious, and some of them are very rich in internal decorations ; but there is little to admire in their architecture, and they have few pictures or sculptures of much merit. The prevailing taste in ornamental building here, seems to be Chinese,

and this absurd frippery abounds every where. It is barely tolerable in a villa or a summer-house, but in town it is quite preposterous. The most striking feature in Palermo is the multitude of convents which are seen throughout the town ; these force themselves on the attention by long iron gratings, which run the whole length of the house, like aviaries, and are for the purpose of enabling the nuns to take air and exercise without having the prying eyes of man on them. Those who take their ideas of nuns from the circulating library, will suffer most acute disappointment when the reality meets their eyes. The interesting and lovely beings who figure in poetry and romance, and captivate the readers of Mrs. Radcliffe and Miss Somerville, exist but in the imagination, or if such there really be, they present themselves not to the view of man. All the nuns I have seen were old, ugly, and uninteresting. It is the custom in Sicily for the highest families to send their daughters to convents to be educated : they remain there until they are 17 or 18, and then they are taken home and introduced into all the gaiety and amusements of the capital. After about a month's experience of these, their parents ask them whether they choose to continue in this new mode of life, or to return to the convent, and renounce the world for ever. I am told the latter alternative is more frequently adopted, a resolution which it appears difficult to reconcile with the propensities and feelings which generally actuate youth. There are absolutely no sights to be seen in Palermo, which is quite a relief after the multiplicity of objects which have kept the attention on the stretch, and exercised the bodily energies of the curious traveller, ere he reaches this place of repose. Here one has only to lounge about and gaze *ad libitum*, without having a *cicerone* at one's elbow, to enjoin attention and to disturb reveries.

About a couple of miles from Palermo is La Favorita, one of the royal residences ; this was the favourite retreat of Ferdinand during his exile, and here he used to console himself for the loss of his regal power, in the pleasures of the field and of the table. It is a pretty little bauble, fitted up in the Chinese taste, something after the fashion of the Pavilion at Brighton ; it is fanciful and elegant enough ; the exterior ornamented with a reasonable portion of foolscaps, bells, and Chinese characters, whilst the interior presents all the variety of forms and figures which are to be found on the genuine Souchong chest, or on the varnished screen. There are a great number of English prints hung round some of the rooms, and the disposition and construction of the apartments have been contrived to suit the various seasons of the year. One of the most curious things here is a cumbrous piece of machinery, contrived for the purpose of transporting the dinner at once from the kitchen to the dining-room, and placing it in an instant on the table without any visible agency ; this engine proves that gastronomy entered largely into Ferdinand's dispositions. The gardens and grounds which surround the house abound in game, which no one

may destroy. Here reigns a code of game-laws which, in the severity of its provisions, might satisfy even the country gentlemen of England. Shooting is a luxury to which none but the highest of the aristocracy may aspire. Ferdinand used to sit before the house and fire at the birds as they flew by, and so abundant was the game, that the slaughter in this way was said to be immense. The country in this direction is picturesque, but does not seem rich : the mountains are exceedingly barren, and scarcely a shrub is to be seen on them ; the sea air appears to have made sad havock amongst the statues here and about Palermo ; almost all of them have their noses bitten off, and their various prominences are rounded off in a manner that sometimes gives them a very ludicrous appearance.

At a short distance from Palermo is a convent of Capucins, which is remarkable on account of a large repository of dried dead bodies which it has under ground. As soon as any person of distinction dies, the intestines are taken out of the body, and it is enclosed in a species of tomb which is walled up, where it is left for six or eight months. During this time decomposition has taken place, and nothing is left but the skeleton, with sometimes a part of the skin ; it is then deposited in the receptacle. The more wealthy are suspended in niches appropriated to them, with the name and date of the death of the occupant attached to it, for, of course, all recognition in such a state is impossible. The more humble are deposited in coffins, which are also labelled ; these are locked, and the keys given to the relatives, and the coffins are piled one above the other. The place looks like a vast warehouse, and the bodies are suspended in the way that suits of armour are hung at the Tower. I suppose there were not less than six or seven hundred ranged along the walls, and perhaps twice that number of skulls ; they resembled mummies, and were in very good preservation, many having the skin on the bodies. Some had been tenants of this vault for upwards of a hundred years, and little difference was observable between them and such as had only been one year dead. No preparation is used to preserve them, and, what is quite astonishing, there is no offensive smell ; it is not nearly so unpleasant as some of the churches at Rome.

I went, in company with some Sicilian gentlemen, to visit the convent of San Martino. This is a convent of Benedictine monks, situated about nine miles from Palermo. It is of the most exclusive and aristocratic description, none being suffered to become members of it, but such as are of high birth. Its position is strikingly romantic, as it is surrounded by steep and rugged mountains, which seem to form a barrier between it and the rest of the world. The building is spacious and magnificent, and it is ornamented in the most costly manner. I witnessed the ceremony of receiving the profession of a novice, which was curious enough. After service and chaunting, the novice came forward before the abbot, and read

aloud his renunciation of the world; he then kissed the high altar; after which his novice's robe was taken off, and he was invested with the monastic garments by the abbot; he was then embraced by all the fraternity; last of all, cushions in the shape of a bier were spread on the ground, the newly received brother lay down on them, a pall with the insignia of death was spread over him, and mutes with lighted tapers stationed themselves around; in this situation high mass was performed, and the whole scene was of the most impressive and funereal description; the pall was then removed, the monk arose, and the ceremony was concluded. The whole business lasted nearly two hours, and was really highly interesting from its novelty, and also from the very fine music which accompanied it throughout, and which was chiefly of an operatic character. There were sixteen novices in the convent at the time, some of them so young as six or seven, and most of them of the chief families of Sicily; they have a separate convent of their own adjoining the great building, and they are not permitted to hold any communication with the monks, whom they see only at church. After looking over the establishment, we dined in the refectory, and certainly the *cuisine* was not the least curious part of the establishment: a better or more choice dinner I never saw upon a table, and all the accompaniments were in the highest and most magnificent style.

Sicily is miserably ill off for roads: excepting in the immediate vicinity of the principal towns, there are none practicable for carriages, and there are scarcely even distinctly marked paths to connect the various parts of the island; the consequence is, that travelling is very troublesome, and is even attended with some hazard at particular times, especially after much rain, when the torrents become swollen. This, and other obstacles of a similar nature, deter many from penetrating into the interior, though the inducements are very strong. Superstition appears to me to be greater at Palermo than in any other place I have seen: if a church procession passes along the street, all the people within view of it instantly drop on their knees, the men devoutly taking off their hats, and the women bowing to the earth, till it is gone by; even persons of distinction get out of their carriages and kneel down in the mud; yet with all this affectation of devotion, I have never seen less decorum of deportment in churches than here. At Rome there is less ostentation of piety in the streets, and much more propriety of behaviour in the churches. There is something in the way in which sermons are delivered in Italy which strikes an Englishman as very theatrical: I heard a discourse delivered by a blind priest, which was characterized by considerable eloquence, and much gesticulation; the preacher mounted a long gallery, up and down which he paraded distributing his exhortations equally amongst his flock. The subject was the eulogy of charity; the topic was treated extempore, and much after the manner of our own divines; the praises of those who gave

to the poor were set forth, the inutility of laying up stores in this world was enlarged upon, and the vanity of worldly pleasures, such as dress, luxury, plays, balls, &c., was emphatically pointed out; finally, the pious were exhorted to deposit, in a purse, which was extended to them at the end of a long stick, and was chinked with a sort of *obbligato* accompaniment to the reverend pastor's periods, some portion of their wordly wealth, and thus to secure a great reward. Judging by the faint chink of the purse, I fear the discourse had not much effect on the hearers; the congregation dispersed, and probably adjourned to the theatres. These discourses seem to be divided into three parts: the first contains some general remarks; the second, which is the longest, enters at length into the subject; and the third consists of an apostrophe to the crucifix, which is placed in the pulpit, and concludes with an appeal to the charity of the congregation. Before commencing the third part of the discourse, the preacher announces the time when he will again hold forth, and the subject on which he proposes to expatiate.

The ruling passion of the Palermitans seems to me to be a rage for display and state. To gratify this, with the slender means they in general possess, is no easy business; and the struggle between pride and poverty frequently produces what appears to a stranger (particularly an Englishman) a highly ludicrous result. An equipage, with a footman or two behind it, is a *sine quâ non* with every one who has the slightest pretensions to more than plebeian rank; but as the income of a *principessa* very often does not exceed one or two hundred per annum, and as, even in this rich and favoured land, the keep of man and beast costs *something*, management becomes necessary. If the *principessa* were to make her appearance on the Marina in a numbered carriage, her fair fame would be blasted for ever, and fashion would blackball her. But let her appear in the most crazy rattletrap imaginable, well blazoned with armorial bearings, dragged by a pair of ragged jaded mules, superintended by an antiquated retainer, in soiled linen and tarnished livery, whose fellow is condemned to the jolting and jumbling of the foot-board behind, and all is as it should be, the dignity of nobility is satisfied, and the lady receives, with smiling condescension, the homage paid to her state. The personal sacrifices and self-denial which are practised at home to keep up the state of the equipage, the box at the opera, and a suitable toilette abroad, pass all belief. The number of carriages seen at Palermo, compared with the extent and population of the place, seemed to me greater than that of any town I have visited. Most people of good fashion have two equipages, one for bad weather and night work, the other for show and the public drive. The difference between Sunday and the other days of the week, is as observable in the toilette of the aristocracy, as in those of plebeians; it is a day of dress with all.

Most of the aristocracy of Palermo understand English, and many



of them speak it with fluency and correctness ; they have no objection (the ladies in particular) to practice a little with an Englishman when an opportunity offers. The length of time the British were in occupation of Sicily gave the Sicilians an opportunity of gaining some knowledge of the English language, and they appear to have acquired a relish for it. French is the language of good ton, and is constantly spoken at the opera or *conversazioni*, or wherever foreigners are present. The Sicilian ladies are not in general regularly handsome, but the animation and intelligence which beam in their countenances, appear to me to render them infinitely more attractive than the possession of mere beauty could do. The face is a perfect index of the mind, whose sudden flashes and varying emotions find instantaneous utterance in the eloquent and expressive features which reflect them. They use signs and gestures much in conversation, and very often keep it up almost without the assistance of language ; nay, with the eyes alone ideas are exchanged, and whole sentences are conveyed in a glance. This species of ocular eloquence is one of the most surprising, and at the same time fascinating sights imaginable, but I doubt whether any but the dark brilliant eye of a Sicilian is capable of it. The extraordinary acuteness of their intellect makes them as quick in comprehending, as the expressive character of their features makes them skilful in communicating by such means ; and, accordingly, it is said, that a Sicilian will answer you before you open your mouth to ask the question. Certain it is that they are wonderfully quick, and seldom give you the trouble of explaining what you would say. The men seem a most lazy and indolent set, particularly the aristocracy ; they are constantly lounging about in carriages, and hardly ever walk or take the manly exercise of riding ; averse from any active occupation, they seem incapable of any active exertion even for amusement. The only thing that rouses them is gambling, to which, in all its shapes, they are greatly addicted. Saturday is the day appointed for the drawing of the lottery, and here the gambling spirit, so prevalent with the Sicilians, is brought fully into play. As the hour for the drawing approaches, the avenues to the office, and the great square before it, are thronged with an immense concourse of people of all sorts. Expectation and intense anxiety are portrayed in each countenance—every faculty is strained to catch the first intelligence of the fortunate numbers as they are proclaimed aloud, and the disappointed expectants depart to scrape together wherewithal to try again next week. This species of gambling is quite universal, all, from the prince to the cobbler, engage in it according to their means ; and as the stake may be as small as the venturer pleases, even the beggars in the streets contrive to try their fortune. The principle of the lottery is the same as that in France, where five numbers are drawn.

Music is much cultivated by the Palermitans, and in private

society amateur singing of the most excellent description is to be heard. The opera may be considered with them rather as a necessary than a luxury; it is their never-failing resource for filling up the evening, and they repair to it as a matter of course. A stranger, however, who looks around him is apt to imagine that it is rather fashion than the love of music that draws them thither. The talking, the visiting, the card-playing, the eating and drinking, which engage the audience, particularly the more aristocratic part, in the theatre, make one regard the music as but a secondary part of the evening's entertainment. This conduct is, however, by no means confined to the Sicilians; it is more or less observable in every opera-house in Italy, and does not carry with it the inattention to what is going on in the stage, which it would seem to imply. The ear is always on the alert, though the eyes and the tongue may appear to be otherwise engaged; and woe to the singer who imagines that the privileges of the boxes extend to the stage; the fact is, the Italians like to have the same opera repeated a multitude of times, until it becomes perfectly familiar to them, and they can hum in anticipation each phrase and each *motivo* that occurs in the whole composition, and this exercise they constantly practice to the great annoyance of those who prefer hearing them delivered *ex cathedra*. To such a degree do they carry this delight in forestalling the singers, that I believe they even dislike to hear the customary graces and embellishments varied, as it baulks them of their favourite pastime, and sets them at fault. To gratify these propensities, the *Impresario* of a theatre, when he produces a new opera, is obliged, in order to secure the patronage of the public, to guarantee to the subscribers that the music shall be repeated consecutively a certain number of times; and I have known an opera to be represented upwards of fifty times without intermission. This seems to be carried rather too far, but it is unquestionably true, that music to be fully appreciated must be heard several times. For my own part, I never liked any opera so well the first as the second time, and those which pleased me most have always grown in my estimation in proportion as I have heard them often. One gets leisure at least to analyze the construction of the music, and to examine its ingredients; at first one endeavours to grasp at all, and in effect carries away a very imperfect idea of what has been heard.

The number of Austrian troops quartered in and about Palermo, when I was there, amounted to 6000; the Sicilian troops were about 3000, an immense force for so small a place. The other parts of the island were garrisoned in the same proportion. The Austrians were better received by the Palermitans than by the Milanese or the Neapolitans, and many of them had *liaisons* of an intimate nature with the resident noblesse. Indeed, the laxity of morals here is such as to surprise even those who are accustomed to the absence of restraint which characterizes society in Italy. It is not thought necessary to keep up the slightest appearance of decency and deco-

rum ; public esteem is not worth having, and public reprobation there is none, for all are alike depraved. What a state of society is this !

My stay at Palermo lasted a month, and I left it with all the regrets which turning one's back on lovely scenery, a delightful climate, agreeable society, and most kind friends, can inspire. I remained there, perhaps, just the proper time to see it to the greatest advantage, and to carry from it the most favourable impressions. The casual visitor of a few days thinks it stupid from the want of objects of curiosity and resources for idle mornings, whilst the resident is tired of the sameness and insipidity which characterize the occupations and amusements of a confined society, and is perhaps somewhat shocked at the licences which custom here sanctions, and at a want of *bienseance*, to which northern nations would be apt to affix the harsher term of immorality. One who spends a month at Palermo has leisure to make little excursions into the neighbouring country, and to enjoy the beauty of the scenery which this land of oranges, olives, almonds, and aloes, even in the middle of winter, exhibits. He may so far cultivate the society of the Palermitans (a thing not difficult of accomplishment) as to find amusement and variety, if not instruction. *Ennui* will hardly devour him in so short a time ; and his forbearance is not very severely taxed even should he be required to observe, with an indulgent eye, for a few weeks, the laxities which Sicilian manners and Sicilian climate allow. Adieu, then, Palermo and Palermitans ! Unwilling should I be to fix myself amongst you, delicious as is your climate, and captivating as are your attractions, but never have I passed a month more agreeably than with you. Regret at leaving you, and an anxious desire to revisit you, are my strongest feelings, as your romantic shores recede from my eyes !

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#### THE TOKEN FLOWER.

*By a young West Indian.—From the London Weekly Review.*

' UNDER the Rose,' in days of old,  
Fond vows were seal'd, fond secrets told ;—  
And still when Love, in eve's calm hour,  
Would wander to its favourite bower  
And whisper in its amorous mood  
The thoughts it nursed in solitude,  
The dreams that loving hearts disclose,  
Are sacred underneath the rose.

And while the constant soul shall be  
Enamour'd of love's secrecy,  
Through varying time's unceasing range  
The language of the lip may change,  
Empires be won, and thrones decay'd,  
Yet never shall this emblem fade,  
For sacred still shall love repose  
Under that faithful flower—the rose.\*

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\* The rose was sacred to Harpocrates, the God of Silence : hence arose proverbial injunction of secrecy in the epithet ' Under the rose.'

# SKETCHES OF CELEBRATED MEN AMONG THE CHINESE.

To dispute the high antiquity of the Chinese as a nation would now be as absurd as to give credence to the wild fictions of some of their neighbours, who pretend to carry back their own origin to a supposed period, preceding by millions of years the creation of the world according to the Mosaic account. Against fables so futile, and so frequently confuted, it is needless to contend. No proofs of authenticity, nor even of probability, have yet been discovered in any history of times anterior to that assigned by Moses to the creation, nor has any other historian ascended in the scale of time so far as his second great occurrence, the universal deluge. But from the period of this latter event the annals of China commence ; obscure, indeed, in their earlier portions, but becoming, with the advance of years, more clear and consistent, and assuming, according to the best informed chronologists, at about eleven hundred years before the birth of Christ, the authenticity of genuine and credible history. Thus the Celestial Empire existed long anterior to the birth of those nations which we are accustomed to regard as ancient, and its records have been continued through a series of three thousand years, almost without a chasm.

With the Native historians, to whom we are indebted for annals extending to so remote an epoch, few Europeans have, however, been acquainted. Even their names have scarcely been heard of in the Western world, to which their works have rarely penetrated in an intelligible form. Biographical notices of some of the chief among them have recently been given by that excellent Chinese scholar, M. Abel Remusat, from which we propose to avail ourselves of such facts as may appear interesting. They will at least possess the attraction of novelty, and convey information of which even those who have professedly written histories of China were utterly ignorant.

Passing over the more ancient historians, our series will commence with those who immediately succeeded the restoration of Chinese literature in the second century before the Christian æra. In the year 213, B. C., the Emperor Chi-wang-ti, in the full force of his absolute power, had brought into operation against the advancement of intelligence the only argument which an autocrat will condescend to employ : the works of the learned, throughout the whole of his dominions, were strictly ordered to be burned. Books on architecture and on medicine were alone exempted from the general destruction ; the former, if we may venture to guess at the inscrutable motives of powers so elevated above common conceptions, may have been spared as contributing to maintain his pomp and state ; the latter on an equally selfish principle, that his bodily

sufferings might be alleviated by the assistance of art. Other sciences, the imperial despot declared, served only to increase idleness to the neglect of agriculture, the source of universal happiness ; and books, in general, contained nothing but the seeds of revolt ; those who studied them continually setting themselves up for reformers, and whenever the wise edicts of the reigning prince, which vary according to circumstances, were not precisely conformable to the ancient laws, assuming the liberty of rashly attacking his conduct, and stirring up by seditious discourses the spirit of disobedience and rebellion. Such were the alleged motives for the complete destruction of the productions of the learned, among which were expressly included the writings of the philosophical Confucius, and of the moral and correct Mencius. It is not within the scope of our present subject to point out what other irresponsible powers, equally enlightened with the infamous Chi-wang-ti, have since acted upon similar principles. It is by far a more pleasant task to look forward to the emancipation of intellect from the fetters imposed on it by ignorance and intolerance, and to trace the revival of literature, with increased energy, after the period of inaction into which it had been forced.

The sixth Emperor, in succession from the destroyer, whose name is still held in deserved detestation by the learned of China, was King-ti. Under his reign commenced the restoration of history, which was urged on with increased zeal by Wou-ti, the succeeding monarch, who ascended the throne in the year 140 B. C. Anxious to recover such of the historical documents of preceding ages as might have escaped the notice of the destroyers, Wou-ti offered liberal rewards to all who should produce them, ordering, especially, that close search should be made by those whose ancestors had formed part of the ancient tribunals of history. The materials thus collected were referred to an academy, composed of the most able literati, at the head of whom was Ssema-than, the descendant of a family which had furnished historians to the dynasty of Cheon. On his appointment to his new office, he received from the Emperor the title of Tai-sse-ling, or first historiographer, and immediately directed his attention to the arrangement of the chronicles written by Confucius, of the 'Commentaries of Tsokhieou-ming,' and of his 'Historical Discourses'; works which may be regarded as continuations of the Chou-king, the first and most important production of Chinese history. He then proposed to dispose in chronological order the histories of the various states which had mutually contended for the monarchy of China ; but while occupied in the preliminary preparations he was removed by a premature death. His son and successor was present. 'The great historian,' he says, 'took my hands between his own, and, with tears in his eyes, thus addressed me : "Our ancestors, from the time of the third dynasty, have continually rendered themselves illustrious in the academy of history.

Ought I to be reserved to see the end of so honourable a succession ? If you succeed me, my son, read the writings of our ancestors. The Emperor, whose glorious sway extends over the whole of China, has ordered me to assist in the solemn ceremonies which he is about to perform on the sacred mountain : I am unable to obey his commands : you will, doubtless, be called upon to fill my place. Afterwards remember my wishes. Filial piety is evinced, in the first place, by the duty paid to your parents ; in the next, by the services rendered to your prince ; but, above all, by the care which is taken of your own glory. It is the height of piety to reflect back upon a father and a mother the glory of a name which you have rendered illustrious." After explaining to him the state of the materials which had been collected, and dwelling on the important duties of a historian, which he conjured him to have continually before his eyes, the 'great prince of history,' as he is repeatedly termed by his son, expired.

Ssema-thsian required not these exhortations of a revered parent to induce him zealously to fulfil the duties of the station to which he was immediately called. His earliest studies had been directed to the ancient historians of his country, and at the age of ten years he was sufficiently informed to read, in addition to those already enumerated, the Koue-in and the Hi-pen. Almost incredulous with respect to much that was contained in these works, and in the documents possessed by his father, to which he had continual access, he determined on travelling, to observe for himself the remains by which the facts narrated in them might yet be authenticated, and especially the relics of the extensive labours attributed in the Chou-king to the great Yu. After devoting several years to these and other similar investigations, he was placed in command of a military expedition, from the pursuit of which he was recalled to attend the dying bed of his father. The three established years of mourning which succeeded to his loss were employed in arranging the notes collected by him during his travels ; and to these, and to preliminary arrangements for the great history he had projected, were also devoted the two succeeding years.

In the retreat which he had chosen for the pursuit of his peaceful inquiries, he was now, however, no longer permitted to remain. The duties of grand historiographer in China are not limited to the ages which have passed ; he becomes also a magistrate of the existing time, compelled to perform an active part, to mix amidst actual occurrences, and take a share in the daily business of the state. Truth, unbiassed by fear or favour, is the leading principle by which he is to be guided, and he is bound to employ it equally towards his master and his contemporaries, as towards those who have preceded him by centuries. Deeply impressed with the responsibility of his office, Ssema-thsian was incapable of allowing his personal safety to interfere with the discharge of its duties, and an

occasion quickly presented itself which called forth his animadversions in so forcible a manner as to lead to his disgrace.

Li-ling, one of the generals of the Empire, having been vanquished by the Huns, joined the enemy with the remainder of his troops. Against conduct so treacherous the public indignation was strongly roused. The feelings of the Emperor were in unison with that expressed by his subjects. He not only condemned the offending general to the utmost punishment permitted by the laws, but extended the same severity also to the family of the culprit. This unjust stretch of authority was opposed by Ssema-thsian : but not contented with so legitimate an interference, he even undertook the defence of the general, and asserted that he deserved praise rather than blame, for having feigned to surrender to the Huns for the purpose of preserving to the Empire the remains of his army, which had in fact been conquered by the climate alone, and not by the superior skill of the enemy opposed to him. A panegyric so bold, and evidently so ill-timed, drew on the historian the wrath of the Emperor. Ssema-thsian was himself condemned to suffer death : a punishment subsequently commuted for one which, in the words of Pere Amiot, removed from the rank of mortals one of the greatest men that China then possessed.

Cruel as was the sentence inflicted on him, it was fortunate for the history of China that Ssema-thsian was again placed in the retirement which enabled him to resume his interrupted labours. The lapse even of a few years would have rendered it impossible to regain the information which was preserved only in the memory of the aged, and would have added to the difficulties of discovering and digesting the fragments of the chronicles which still remained : the silent testimonials which lend to history its surest foundation would have ceased to exist, buildings would have fallen to decay, monuments have been destroyed, and inscriptions defaced. In the time of Ssema-thsian all these sources of information were accessible, and from the whole of them did he perseveringly draw during the continuance of the imprisonment to which he was condemned, and from which he was released only a short period before his death, on his appointment to a kind of literary chancery. It was not until after his decease that the result of his labours was given to the public, under the simple title of Sse-ki, or *Historical Memoirs*. On its appearance, the posthumous title of Sse-thoung-tsen, which is one of the dignities of the imperial college, was conferred by the Emperor on its author ; and the still more honourable appellation of 'Father of History' was applied to him by universal consent.

The Sse-ki is composed of one hundred and twenty books, and embraces the history of China from the reign of Hoang-ti (2097 B. C.) to that of Hiao-wou (A. D. 122), terminating with a year remarkable for the discovery of one of those marvellous unicorns, the appearance of which is regarded by the Chinese as affording the happiest pre-

sages. As it has served as a model for all succeeding writers of the great annals of the empire, a vast historical body now known by the name of the 'Twenty-two Histories,' an outline of the plan pursued in it may not be without interest. It is divided into five parts: the first, entitled the 'Imperial Chronicle,' is dedicated to the history of the Emperors, and of the Empire at large; the second is a series of 'Chronological Tables,' resembling in form those of our historical atlases, and giving a general outline of the occurrences in the minor states and governments; the third traces the progress of each of the 'Eight Branches of Science' through its successive improvements and variations; the fourth embraces genealogical histories of all the families who have enjoyed territorial possessions; and the fifth, by far the most extensive division, furnishes the biography of all who have been celebrated either for their acquirements in science, or for their administration of public employments. By this arrangement it was attempted to free the narrative of the more important events from the details by which they might have been overwhelmed, while at the same time it avoids the rejection of those minute particulars which throw so much light on the manners and genius of an age or nation. The style of the work is stated to be simple and sustained throughout; the immense multitude of facts embodied in it are related in a neat and lively manner; and the fabulous stories, of which it contains not a few, are so given as to show that the author did not himself receive them as credible, but merely preserved them as curious illustrations of ancient times. Several of the books have been lost, but the places of many of them have been supplied by the additions of Chou-chao-sun. The Sse-ki is the only work of Ssema-thsian: in attributing to him others, Pere Amiot has mistaken the titles of its divisions for so many separate publications. He has also erred extremely in the descriptions which he has given of several of the portions.

SSEMA-CHING, the next historian of China whom we shall mention, is so far inferior to the preceding in the estimation of his countrymen, as to be frequently distinguished among them by the epithet, Siao: Siao Ssema, the little Ssema. He lived towards the end of the sixth century, and undertook to supply the deficiencies of the Sse-ki. His San-hoang-pen-ki is a collection of the principal traditions relative to those half historical, half mythological, personages, Fou-hi, Niu-wa, and Chin-noung. In this work Pere Cibot finds nothing to praise, except that it is very short. His other production is the Sou-yin, a history of little merit, but from which long extracts are usually added as notes and illustrations to the various editions of the great historical work of Ssema-thsian.

Of a far higher rank was SSEMA-KOUANG, who flourished during the eleventh century. In his infancy he discovered some of those traits of precocious talent on which a certain class of biographers are wont to dwell with peculiar complacency. One of these is



worthy of mention :—While playing with some of his juvenile companions near one of those large vases in which the Chinese keep their golden fishes, one of the children fell into it, and was on the point of drowning. The others fled in terror ; Ssema-kouang alone remained : he sought for a large stone, with which he broke the vase ; the water escaped, and the life of his play-fellow was saved. At the age of seven years he commenced reading the ancient historical books, and devoted himself to their study with unequalled eagerness and assiduity. He was never without one of them in his hand ; his sleep was short ; and he renounced all kinds of amusement. As he advanced in years he constantly avoided all those connections, the least mischievous result of which, according to the Chinese, is the loss of time which they occasion ; and the only relaxation he allowed himself was the company of the learned, to the highest rank among whom he was raised when only twenty years of age.

In China, the opinion that a man of letters is fitted for every situation, appears to be generally received ; one who is acquainted thoroughly with the writings of the ancients, is, as a necessary consequence, an upright magistrate, an able minister, and an excellent general. A superior scholar like Ssema-kouang could not, therefore, be left long unemployed. In his first services he was unfortunate. Appointed to the command of a district which was continually exposed to the inroads of the Tangut Tartars, he recommended the construction of three new cities on the banks of the boundary river, to be peopled by the superabundant inhabitants of the neighbouring countries, who would of course be interested in the defence of their new possessions. The enemy, however, instead of being repelled by these precautionary measures, found in them only additional objects of attraction ; the new cities furnished them still more abundantly with slaves and plunder. The Emperor, exasperated at this fresh invasion, removed from his office the general on whose responsibility the plan had been carried into effect, and ordered that he should be tried for his offence ; but Ssema-kouang, aware that the error originated in his own want of experience, addressed the monarch in behalf of the culprit. His generous self-accusation turned the current of wrath, and the friends were pardoned : the historian was even promoted to the government of the capital of Ho-nan, and became afterwards public censor and historical secretary of the palace.

The duties and the risks of this high office have been already noticed. Ssema-kouang executed the former with a fidelity which exposed him to the latter. An unknown animal having been sent from the south to the Emperor, the courtiers united in declaring it to be the khi-lin, the marvellous unicorn, which appears only in prosperous times, when the empire is flourishing under the government of an excellent prince. The remark of the historiographer, when consulted by order of the monarch, exhibited some boldness : ' I have never seen,' he said, ' the khi-lin, and consequently can-

not tell whether the animal you speak of is one. I only know that the khi-lin has never been brought here by strangers : its appearance is voluntary when the state is well governed.' His rebuke of flattery on another occasion has also been put on record. The astronomers had predicted that a certain eclipse of the sun would extend to six digits ; the eclipse arrived and only four digits were obscured. The Emperor was formally congratulated by his court on this happy event ; in honour of the wisdom of his government the heavens themselves, it was said, had deviated from their usual laws. Ssema-kouang, who was present, interrupted the courtiers. ' The first duty of a censor,' he exclaimed, ' is to tell the truth : what you have just heard is either base flattery, or the result of gross ignorance. 'The eclipse has been smaller than was predicted ; from that neither a good nor an evil prognostic can be drawn, neither is there in it any thing on which to congratulate your majesty. The astronomers have been deceived ; if from their own negligence, they ought to be punished. The worst omen I can perceive is, that you have about your person men who dare to speak in the manner I have just heard, and that your majesty deigns to listen to them.' Far from resenting the freedom of this harangue, the Emperor continued to honour the historiographer with his favour ; and after his decease, Ssema-kouang retained possession of his office during the regency which succeeded, and until after the commencement of the reign of Ying-tsong. This monarch was the nephew of his predecessor ; but desirous of showing respect to his father, he solemnly conferred on him the supreme title and honours. According to the principles of adoption, these honours could only be attributed to the Emperor who had immediately preceded him, whom he was bound to regard as a father ; the highest title which could be given to his real father being that of ' august uncle.' Against this innovation Ssema-kouang remonstrated with so much spirit, that six only of the inferior censors dared to sign the memorial which he presented on the occasion. Their hardihood was beyond the sufferance of a young monarch, and the whole of them were immediately dismissed from their offices.

In the retirement which succeeded to his disgrace, the historian undertook the composition of the great work on which his literary fame is founded. He began by writing an essay in eight books, on the plan of the celebrated Chronicle of Tso-khieou-ming, which being shown to the Emperor, received his highest approbation. He encouraged the author to continue and extend his work, and placed at his disposal the public documents which were adapted to ensure its accuracy. From the immense extent of the materials, the history proceeded but slowly, notwithstanding the assistance afforded to Ssema-kouang by the most able among the literati. It at length appeared, under the title of Tseu-tchi-thoung-kian, or Mirror for the use of Governors, and consisted, in its original form, of two hundred and ninety-four books of text, thirty of tables, and thirty

of dissertations and discussions. The facts are connected in it into a single narrative, instead of being arranged under different classes, as in the *Sse-ki*; and it embraces a period of 1362 years, commencing with the times of the civil wars, and concluding with the accession of the dynasty under which the author lived. The more ancient occurrences were afterwards added to it by *Lieou-lu*, one of his colleagues, and it has been since continued by other writers. Abridgments and extracts from it are numerous, and like the work itself are highly esteemed. The most celebrated is the *Thoung-kian-kang-mou*, in which the *Kang-mou*, or Summaries, written by *Chu-hi*, are blended with the original work of *Ssema-kouang*.

Previously to the completion of this great work, the historian had again been called into public life by the Emperor *Chin-tsoung*, and had resumed its duties under circumstances still more discouraging than those against which he had before struggled. The feelings and the opinions of *Ssema-kouang* were orthodox in the extreme; precedent and custom were his sole guides; he lived only in the strictest observances of remoter times. He had now to encounter the heterodox tenets of a modern philosopher, who derided the ancient doctrines, and aimed continually at innovation. The contentions of the rival advisers were frequent and severe, but the Emperor inclined to the novel views which emancipated him from numerous restraints; and while he listened with the utmost patience and deference to the moralist of former days, he constantly acted in conformity with the plans of the reformer. The historian long and patiently endeavoured to stem the current which set so strongly against him; on every important occasion he continued to tender his advice, even under the conviction which necessarily forced itself upon him, that it was offered only to be neglected. Those who coincided with him in opinion successively deserted the court, and he eventually remained almost the only supporter of ancient principles. His steadiness, though it influenced not the conduct, commanded the respect of the Emperor, who himself condescended to write the preface to the *Thoung-kian*, which was completed amidst the disputes which daily agitated the court. He also appointed the historian to the high post of President of the Imperial College of the *Han-lin*, a body somewhat resembling in its functions, both literary and political, the plan originally proposed for the Institute of France. *Ssema-kouang* strenuously opposed his nomination to this new dignity, but having at length yielded to the importunities of his master, he determined on improving the opportunities which it afforded him for conveying instruction. In his public addresses, which the Emperor honoured with his presence, he delighted to dwell on the history of those monarchs who, by listening to the advice of innovators, had compromised the safety of the state, and had led to the ruin of their dynasty. His imperial auditor, far from being offended at the political lectures thus addressed to him,

afforded to the historian ample opportunity for increasing their number by placing him at the head of the public censors. Several of his writings in this kind are preserved in the collection entitled *Kouwen-youan-kian*. Wearied, at length, with fruitless attempts at correcting the disorders which he lamented, he requested permission to retire from the scene where opposition constantly thwarted his best endeavours, and obtained it on the condition of his retaining a title which compelled him to interest himself in the condition of the country to which he should retire.

From the retreat, in which he had proposed to spend the remainder of his life in study and in relieving the oppressed, Ssema-kouang again emerged with increased honours, after the death of Chin-tsoung. On his route to the capital, whither he repaired to evince his respect for the memory of his deceased master, he was every where received with the loudest acclamations of triumphant congratulation. His decided opposition to the unpopular measures of the late government was universally known and appreciated, and public opinion, if such an impulse ever existed in China, manifested itself on this occasion in the most forcible manner. His journey promised, in fact, but one long triumph throughout; but fearful of the effects which such a display might produce, he withdrew from his admirers, and endeavoured to regain his retirement. He was prevented by the orders of the Empress Regent, who placed in his hands the whole power of the state, by nominating him successively governor of the young monarch, and principal minister. The duties were more than his enfeebled health and advanced age could sustain; after a short struggle, during which he arranged a peace with the Princes of Tangut, and effaced to the utmost of his power the relics of the innovations recently introduced, the great historian and able statesman expired.

With his death, however, the history of Ssema-kouang does not conclude. The public funeral, the unbounded eulogiums, and the universal regret which attended it, were quickly followed by a singular reverse. Within eleven years the partisans of the new system had regained the power which he had wrested from them, and they employed it in vengeance against their most determined opponent. By a measure which produced on the minds of the Chinese the deepest impression, he was deprived of his posthumous titles, and declared an enemy to his country and his sovereign; his tomb was thrown down, the marble which commemorated his virtues and his works was destroyed, and in its stead was erected another, on which were enumerated his pretended crimes. Even his works were condemned to the flames, and China had nearly been deprived of one of the most important of her literary monuments; they were, however, fortunately preserved from the fate with which they were menaced. The memory of their author was also speedily vindicated from the obloquy which had been cast upon it; three years had scarcely elapsed before the whole of his titles were restored, and his tablet was subsequently placed in the hall of the ancestors of the

reigning monarch, by the side of that of the Emperor Tchi-tsoung, who had directed his disgrace. In 1267 his name was inscribed in the temple of Confucius, with a title corresponding nearly to that of 'Prince of Literature;' and in 1530 he received a new denomination, which he still preserves, that of Sianjou Ssema-tseu, the highest character which, in the estimation of a Chinese, could be conferred on any individual, and which is intended to designate one who has shown himself invariably attached to the opinions, both literary and political, of the school of Confucius.

### THE WALPURGIS NIGHT.

*Written after viewing the magnificent outline of the Scene in Retzsch's Illustrations of Faust. By Henry Meredith Parker.*

[THE summit of 'The Hartz,' illuminated partly by the full moon, but principally by a red gloomy light which fills the air, black indistinct shadows, and crowds of ghastly objects, are seen flitting about, or dancing round the green and lurid flames of the witch-fires. Every thing is in motion; trees, rocks, the mountain-fern, the reptiles of the earth, and the owls and bats of the forest; the streams are broken into a blue mist, or, rushing fiercely along, the colour of blood; wild elf-music and voices heard in the air, as demons and spirits, and magicians rush from all quarters to celebrate the rites of Oberon.]

From the fire and the flood,  
 From the blue depths of the sleeping lake,  
 From the haunted wood,  
 From the cavern and the brake,  
 From the study, where the midnight lamp  
 Gleams on the mystic page,  
 From the lone and mossy hermitage,  
 From the wild and wide-spread camp,  
 From the costly board of the banquet-hall,  
 Shining with gold and light,  
 From the mazy dance of the festival,  
 Where beauty beams more bright,  
 From the church-yard lone,  
 From the Lady's bower,  
 From the gallows and the heading-stone,  
 From the warrior's tower,—  
 Hurry, hurry, as the clouds fly  
 In a storm o'er the moonlight sky;  
 Hurry, hurry, as the rattling hail  
 Drives before the shrill north gale:  
 Hurry, hurry, through the earth—through the air—  
 With whoop, and hollow, and mad shout,  
 And the rush of the mighty rout,  
 Ringing, ringing, every where—  
 Hurry, hurry, hurry on,  
 To join the rites of Oberon.

*Eaten* FAUSTUS and MEPHISTOPHELES.

MEPHISTOPHELES.—Well done, my sweet Neophyte and most learned Doctor; faith, I thought twice that you were torn from me, but you clung, as I promise to cling by you. There's a tolerable crowd; what think you of it?

FAUSTUS.—It is the rush of worlds, meeting and mingling like the sand columns of the simoom—with the noise of a thousand thunder-clouds.

MEPH.—Hark!

CHORUS OF SPIRITS.

The pale stars far off shivering,  
Feel the power of the night;  
The glow-worm host all quivering,  
Flash a mystic emerald light.  
The stones are striking fire,  
And the leaf of every brier  
Is curling and in motion;  
And the forest heaves like ocean,  
When the storm-spirits stride o'er it;  
And the giant firs are groaning  
Like a gale through icebergs moaning,  
When it rends the floe before it;  
And the ice, borne seaward, tears  
From their cubs the howling bears.  
The gnarl'd oak-roots are shooting  
And clashing in the air;  
And the forest owls are hooting  
While they flutter on them there.—  
The eagles all are screaming,  
For the red light dimly tips  
Rock and torrent, like the gleaming  
Of the sun in an eclipse.—  
Hurry, hurry, to the feast  
By the light that we love best.

FAUST.—The pebbles are grinding together, and shrieking.

MEPH.—Does it set your teeth on edge? It is nothing to the noise they made at the deluge.

FAUST.—The boughs of the trees are twining and shuddering like parchment in the fire; and see! the roots, covered with a multitude of hideous clinging creatures, burst into the upper air, where they twist and curl like gigantic earth-worms.

MEPH.—Stop! stand a little on one side; I hear some gentlemen groping their way from the centre of the earth; they are just under our feet—ah! they break cover.

FAUST.—What frightful objects! dwarfs of all ores: lead, and iron, and copper. I hate to look upon the glitter of their shining stony eyes, and to see their burnished features grinning and mewing.

MEPH.—They are not a well-favoured generation; but you must allow the honest truth, that they are fellows of metal. Do you see

that thing of furs, and lace, and velvets, and jewels: he, there, walking between a dark and a fair haired beauty, both in Eve's costume, ere she had the advantage of my acquaintance?

FAUST.—It is an Elector of the Empire,—a Prince Bishop.

MEPH.—Yes, he's an ecclesiastic; but look farther to the left, and you'll see a whole cluster of mitres and cardinals' hats: those fellows have always an eye to business; they are settling about the next Pope before they go into conclave: the present is to be poisoned on Saturday; he is a friend of mine, and I have had half a mind to give him a hint of what's going on, only that such a proceeding would deprive me of the pleasure of a nearer intimacy.

FAUST.—Hush!

MEPH.—Yes, it is the dim song of those who come from beyond the furthest star that glimmers red and faint in winter nights.

FAUST.—'Tis like the low murmur of an ice-fed stream, making its way a thousand fathoms deep beneath a glacier.

#### SONG OF SPIRITS.

We come through the blue fields of ether,  
Our path was the ray of a star;  
The glance of the northern lights  
Was the beacon that led us to earth.  
We see not the dusky spot  
From the halls of our dwelling-place:  
The northern lights alone  
Cast a pale and shivering gleam  
Round the space where the dim globe rolls,  
Like that which the fire-fly sheds  
Upon a dewy leaf.  
But we felt the power of the night,  
Where countless spirits dwell  
In spheres of ruby light,  
Even as a spell.—

MEPH.—Hollo!

FAUST.—Why, how now? You seem disturbed: your eyes gleam like two burning coals; and you glow all over like molten iron.

MEPH.—One has need to be reminded of one's philosophy on such occasions: do you see those two fellows?

FAUST.—They bear imperial crowns.

MEPH.—I let them know only yesterday that I *would* have more attention to business; yet here they are chucking young witches under the chin, and lounging about, as if *my* service must not suffer by their absence from their proper places.

FAUST.—See, they pause in the shadow of that gigantic bat's wings close by the skeleton-horse and his fleshless rider. Now the light of that black owl's green glittering eyes gleams upon a paper which one pulls from his breast.

**MERK.**—Ah! they divide it with crayon and compass; then they grasp their sword-hilts, and now their hands join. I was wrong to suspect them: they are about my business. Listen!

SONG OF SPIRITS.

'Tis sweet, 'tis sweet, by the new moon's light,  
To breathe the fresh scent of the cypress tree;  
To sing from a grave the live long night,  
Or join the dead in their revelry.

'Tis sweet, 'tis sweet, when the evening star  
Throws a long bright track on the western main,  
To inhale the breeze that bears from afar  
The red mist fresh from a battle plain.

But sweeter it is, when o'er mankind  
The plague's black banner darkly waves,  
And, of nations, few are left behind  
To dig and groan at their fellows' graves.

**FAUST.**—What leprous, ghastly looking, wrinkled, skeleton things are these, who skimmer through the air like grey shadows, howling and gibbering that dismal trash?

**MERK.**—Oh! scavengering rascals, fellows who pick up a small livelihood in tombs, and about cemeteries; they come from the East with spices, pearls, and other precious things; they are a mere scum of the earth, but one must submit to their presence sometimes for the sake of popularity.

**FAUST.**—Merciful!

**MERK.**—Hush! pray compose yourself, we are too polite here to use expletives of that description;—prithce, abandon so bad a habit, some of my guests have very tender consciences. Ah! (to a snake who is licking his heel, and fawning upon him)—old friend! we have not met since I sent you and another to crush Laoöoon.

**FAUST.**—It is she! but her cheek is paler than a lily kissed by the moon-beam; it is she, but her beautiful blue eyes droop like dying violets; the rose, that was once upon her cheek, scarce lingers faintly on her sorrowful lips; how came she here amongst the infernal multitude which she threads, pure and lovely as the stream that flows through salt mines, yet keeps its sweetness uncontaminated?

**MERK.**—Pray you now, no sentiment. Do you see yon knot of three immortal beauties? So stood they, more lovely than the flowers that bloomed in Paradise ere earth was blighted, before the dazzled shepherd Paris. I was in the apple.

**FAUST.**—(not attending to him)—I see no life or motion in her, but she glides, solemn and shadow-like, amidst the fiendish throng that pass reverently and silently before her; yes, there, still through the black tossing masses of hideous shapes and demon forms, such as men see in fever dreams, she shines calm and holy as a star of heaven through the rifts of the rolling tempest; how pale, alas! how pale! Mephistopheles, fiend, quick, say what dark red mark



is that, fine as the golden ring I once placed upon her finger, which encircles her small snowy throat?

MEPH.—Psha! some woman's gewgaw, a necklace, I suppose; what else *should* it be? There are a thousand such airy figures wandering on the hill; I know a fellow, a monk at Cologne, who makes them by dozens; but—

FAUST.—She approaches; I can scarcely breathe; what means the heavy sound of the bell that tolls, tolls, tolls, so drearily in my ear?—and the icy air, chilling my very heart's blood, that precedes her? Hands off, fiend, devil, I will speak to her! Margaret, my love, my first, my only love, in the name of —

[The word is drowned by a dreadful crash of thunder, the whole scene quivers and is lost amidst the continued blaze of intense lightning; then appears a treeless sandy desert, illuminated by the bright light of the full moon; enormous mounds and piles of ruins are lying in all directions, as far as the eye can reach. Mephistopheles is discovered sitting on the fragment of a column, with his elbows on his knees, supporting his chin between his hands, and looking at Faustus, who lies, apparently insensible, on the ground.]

FAUST.—(reviving)—Oh, Margaret! How's this?—where am I?—thou too here?—where is *she*?

MEPH.—It might have been an awkward tumble, but since we are here, I should like to ask a question or two of Nimrod's skeleton; it is in the highest mound yonder.

FAUST.—Are we then amidst the ruins of Nineveh?

MEPH.—No matter: come, come. [They disappear.]

SONNET ADDRESSED TO A LADY, WHO MADE A VERY SHORT  
VISIT TO CAMBRIDGE.

IN Granta's classic courts, so haply met,  
Ah! why, fair maid, thus transient is thy stay?  
Such dear delight, so quickly snatch'd away,  
Leaves us a sad reverse in deep regret;  
Think not our treasures are exhausted yet—  
Think not our sun of novelty is set—  
The lordly mansion, waving woods among,  
The rural stroll along the enamell'd mead,  
The lovely Philomel's melodious song,  
The thousand charms by Heaven to Spring decreed,  
All plead thy further stay. Nor let them vainly plead.  
Must thou depart?—Oh, rainbow's varied light  
Scarce we admire, and lo! 'tis wrapt from sight!  
To Granta's world a comet's blaze appears;—  
We gaze—'tis gone—to shine on other spheres.

B. G. E.

JOURNEY ACROSS THE PENINSULA OF INDIA, FROM MADRAS  
TO BOMBAY.

No. II.

*Chittoor—Gardening—Wells—Pandoo Covils—Indian Arts—  
Bazaars—Mausoleums, Music, &c.*

ON the 23d of February I awoke at sun-rise, and found the road to lie among stony hills and low mountains of granite and basalt, between which, near the villages, the ground was partially cultivated. At about seven o'clock I arrived at Chittoor, where I intended putting up for the day. Chittoor is a large civil station, consisting of one of the circuit courts, of which there are four on the Madras establishment, the zillah court of the district of North Arcot, and the head quarters of the collector. The first is composed of three judges and the registrar, the second of one judge and a registrar; the collector has his assistant; and to attend to the health of all these functionaries and their families, a medical officer is appointed.

The society is therefore sufficiently extended, and the different members frequently receive visits from Arcot and Vellore, which places are both within a short distance.

The houses, which are large and commodious, have delightful gardens attached to them, and are romantically situated in a fertile valley or plain surrounded by mountains; if to these advantages we add a very healthy climate, and abundance of all the necessaries of life, Chittoor may be considered one of the most desirable residences in the Madras territories. There is a small fort garrisoned by a few sepoys, commanded by a Lieutenant, which, together with the public courts and jail, give the place the appearance of considerable population; the petta, or native village, however, is not large, and the inhabitants are chiefly supported by the presence of numerous Native officers of Government. The amusements of the place chiefly arise from friendly intercourse, and as shooting is an unhealthy sport, and the hilly nature of the country spoils the chase, the gentlemen pass their time in gardening. Even the most inexperienced in horticulture know how to manage the fruits and vegetables most common in England; and to rear these in this country requires considerable care and attention. Turnips and carrots succeed tolerably well, cabbages and lettuces still better, and even peaches and strawberries are occasionally obtained. All these productions, however, are degenerate and tasteless, and only resemble their parents in appearance. I am much surprised that some attention is not paid to the cultivation of Native fruits, as there are many sorts which I have never seen at any table, which are notwithstanding very palatable,

and which, if pains were taken to improve them by artificial means, might become excellent. After breakfasting with Mr. ——— and his family, composed of his wife and a young lady staying in the house, we went out to pay visits of ceremony, in which we were employed the whole of the morning. We dined at four o'clock, and drank tea at seven, which is unusual, the custom of India being to take a meat luncheon, and dine at eight in the evening.

I rose early the next morning, 24th of February, and took a swim in Mr. ———'s bath, which is of a semicircular form, and coated with chunam. It is placed in the midst of his garden, and is supplied by a neighbouring well. As the Chittoor mode of drawing water is peculiar, I shall describe it, and at the same time take the opportunity of noticing other methods used in India. In the middle of a roofed frame-work there is an upright post, which turns upon iron pivots, both at top and bottom; on this, about half way up, there is a vertical drum fixed to it by a large iron bolt. When the bolt is locked the drum becomes a fixture to the post, but when unlocked it is released. On this drum winds a rope, which leads through a pulley over the well, and suspends a large leathern bucket, shaped like a jelly bag, or inverted cone. The apex of this is open, and a line is fastened to it, which leads over a roller at the edge of the well, and thence round the drum. The pulley over which the rope that leads to the mouth of the bag is fastened, is four or five feet above the brim of the well, whereas the roller over which the line at the apex leads, is even with its brim, the consequence of which is, that when the ropes are pulled equally tight, the one drags the mouth of the bucket up to the pulley, while the other drags the apex over the roller below, and thence horizontally along the ground or channel. The length of these two ropes is so adjusted, that when the bucket has quitted the brink, its apex is pulled up even with its broad mouth, so that it is capable of containing water. Being thus let down to the bottom of the well, the bag is pulled up to the top by a bullock harnessed to a horizontal bar, coming from the upright post which the drum encompasses; and having discharged its contents into a channel above, it is let down again by detaching the drum from the post, in loosening the bolt. Sometimes the machinery is doubled by having two pulleys over the well, and two bags; in which case the drum is a fixture; and while one bucket is going down the other is ascending.

The advantage of both these plans is, that they can be used with the water at any depth, while the *pacotta*, which is most commonly employed, will not answer when the well is very deep. This is merely a long bar or balance, moving on a pivot, run through the top of two upright posts near the brink of a well. From the end of this bar, which is over the well, a long bamboo descends, with an iron bucket swinging at its lower extremity, and at the other end of the bar there is a weight. A man places himself at the top of the upright post,

standing on the cross-bar at its fulcrum, and holding a pole which rises out of the upright post; by stepping backwards and forwards he weighs up the iron bucket to the top, or sends it to the bottom of the well. A second man, standing on cross bars in the well itself, overturns the bucket into a channel at the brink. The Bombay mode of drawing water is by a circular iron-chain, strung with pots, and moving on rollers at the top and bottom of the well. The axis of the upper roller is a bar, at the other end of which is a vertical cog-wheel, that fits into a horizontal one, whose axis is an upright post. This post is turned by bullocks as before, and the pots discharge themselves on reaching the top into a channel or trough of wood. All these modes, as will hereafter be seen, are in use in Egypt, where the same wants have suggested the same modes of supplying them. The gardens in both countries are watered by irrigation, and the beds and divisions are traversed by channels of mud, which are stopped or opened as occasion may require.

The morning was spent in receiving a return of the visits which were paid the day before, and after dinner I borrowed Mr. ———'s gig in order to make a little excursion to the Pandoo Covils, seen in the mountains in the neighbourhood. Following a north-easterly direction, through a valley of about five miles, we arrived at the hither side of the river; on crossing which on foot, we found, on the other side of a stony mountain which rose from its bank, several of these curious structures, and some quite perfect. They are detached chambers of an oblong square shape, having one large slab for a flooring, four immense stones placed on their edges for its sides, and another huge slab at the top for a covering. In the upright stone at one end, there is a hole large enough to admit the body of one man, and before this, at a couple of feet distance, a semicircular slab is planted upright, as if for its defence; round the other sides, also, these semicircular slabs were in most cases set, some structures having eight, and some a smaller number. The largest of these chambers which I entered, measured, in the inside, about 8 feet by 7, and was 5 feet 6 inches high. Under the floor stone of some which have been lately examined, large earthen vases were found, and in one a small hammer such as is used by the goldsmiths of this country. The general opinion respecting these curious constructions, of which there are hundreds here and in other hilly countries throughout India, has been, that they are repositories for the dead, but some suppose them to have been habitations for the living; for myself, I am inclined to the latter opinion: they might have been used by a wild race of hill people, who lived in a state of warfare with each other and with the neighbouring lowlanders. The small hole of entrance, and the covering slab in front, which would prevent any missile weapon from entering, make of each chamber a fortification; and although this is so simple a defence, that the very notion of it seems rather a copy of the dens and holes of animals than a thought worthy of man, yet it was perhaps not inadequate to

its purpose, the enormous weight of the stones being such, that no number of men, who could bring their force to bear on them, would, without mechanical advantages, be able to move them. The floors of these structures are also in general so sunk, that the roof does not appear much above the level of the mountain's side, though the desire of concealment would account for this, were they dwellings.

The tradition among the Natives is, that the five sons of Pandoo, King of Delhi, were expelled their possessions, and that these were their habitations during the period of their exile. Now, though this may be an idle tale, and the five sons of Pandoo may be fabulous personages, yet that the structures were habitations is the last part of the story to be rejected.

After spending the evening with Mr. ——'s family, I started at half-past 9, and arrived, in the middle of the night, at a village at the foot of the Moogley Pass, where the bearers put down the palanquin, and stretched themselves on the ground around it, sleeping until day-light.

On starting in the morning, 25th of February, I began to ascend the mountain on foot, and continued walking until the sun became powerful. The ascent was by no means constant, but the road lay across a chain of wooded hills, which rose in succession one behind another like the waves of the sea. In many places it was very steep and difficult to pass from the badness of the road, which had been formed of ill-shapen masses of stone, and filled up with earth, that the heavy rains of the monsoon had entirely washed away. The scenery is interesting: lofty trees appear on the hills on either side the road, and bold rocks occasionally obtrude themselves through their foliage; the view, however, is not extensive, and the next hill being generally higher than the last, impedes the prospect. The length of this pass may be altogether seven miles, and at a short distance from the summit is the village of Pallavanery, where we arrived about 7 o'clock. This contains about two hundred houses, and is surrounded by much dry grain cultivation; as it is the boundary of the district of North Arcot, and one of the few places in it above the Ghauts, the collector, Mr. ——, has built a bungalow here, to enjoy a cool air during the summer months, when the plains of the Carnatic, and especially the valley of Chittoor, are parched with the heat.

After breakfast I received a visit from an emissary of the Rajah of Poonganoor, who was sent by his master to request me to pay him a visit. This person, who was formerly a Polygar Chief, is at present a large landed proprietor, who is allowed by the Company to enjoy one-fifth of his own revenues, the rest being paid to Government. As he is thus in a state of dependence, it is of course his interest to appear friendly to the English, whose dress and manners he in some measure assumes; and to this cause am I to attribute his present civility. He probably by some means heard that I was

on my journey this way, and out of respect to Mr. ———, at whose house I saw him when I was last in Mysore, sent me an invitation. I was sorry that I was not able to accept it, as I have understood that his mode of living is curious; but my fears of losing the season for going up the Malabar coast to Bombay, prevented my making any delays. I quitted Pallavanery in the evening, and as the bearers overslept themselves during their stay in the night, I did not arrive at Moolwagul until near 10 o'clock next morning. Of the country along which I passed on the 26th, I saw little, but I know it to have a bleak and barren appearance, and to be but very thinly populated.

All along the main-road, through the Mysore country, there are bungaloes built at the distance of every ten or fifteen miles, intended for the accommodation of European travellers, and consisting usually of a middle room and two smaller ones surrounded by a broad veranda, and erected on a raised foundation; the offices for cooking, &c. are separated from the house, and the whole, together with about an acre of land, are enclosed in a wall or fence. The munificence of the Mysore Government has supplied these very convenient resting-stations, which, in a country where public houses of entertainment are unknown, are quite essential to the comfort of the traveller. There is usually an invalid sepoy to take care of the place, and a kind of public purveyor, called a cutwal, is always in attendance to supply persons with such provisions as they may need. At Moolwagul there is one of these bungaloes, in which I passed the heat of the day. The village is inconsiderable, and the country of the nature already described. In the evening I started for Colar, where we arrived early the next morning.

The palanquin had been set down in the night on a spot where there was a nest of black ants, and these had come through the cane-work at the bottom, and had bitten me so severely, that I was entirely prevented from sleeping. There is no country in the world which abounds so much with insects of this kind as India. The most destructive of all is the white ant, which is a very large species, or rather a distinct insect. It eats through the beams of houses with astonishing celerity, and lodges in the mud of which the walls are usually made. It even gnaws through mortar and chunam, however hard, and its making a way through such materials has given rise to many fabulous suppositions respecting it. Herodotus says, speaking of Northern India: 'In the vicinity of this district there are vast deserts of sand, in which a species of ant is produced, not so large as a dog, but bigger than a fox.' See '*Thalia*,' chap. 102.

The white ant burrows in the ground to a great depth and extent, and it is consequently almost impossible to dig out its nest. In removing the earth to excavate the different passages of their cells, they throw up a mound on the surface of the ground, of an enormous

size. I have seen one fifteen feet high; but this was not of a conical shape, but rising in pinnacles.

Out of one of these ant-hills the Hiindoos suppose the rainbow to issue, and to descend into another; and even the learned do not see the absurdity of this opinion. The little red ant, though so small as sometimes to be scarcely visible, is nevertheless a plunderer of larders, and his bite is so troublesome, that it is usual to have the legs of bedsteads insulated in a vessel of water, lest he attack one when sleeping. The large black ant is particularly fond of sweets: he also eats flesh, and is usually the first undertaker who makes his appearance when a person has died. He is the strongest of all the tribe, and is in a state of constant warfare with the white ant which he seizes, and carries off with great ease. An elaborate account of the termites will be found in the 'Phil. Trans.' for 1781.

I have already described a part of the road through Mysore: it has hitherto been all alike. Before us, and on the left and right, occupying a space in the horizon of about 45 degrees, were tolerably high mountains. When you arrive within about half a mile of Colar, the road winds to the left, and passes along the made bank of a large tank.

Here, as is usual in India, and especially in Mysore, a dyke was run across a valley, forming an immense lake above, by which all the lands below were watered, and which was filled by the rains of the monsoon. This bank was about half a mile long, and extended nearly up to Colar.

We put up in the bungalow, which is inside the town. This latter is separated from the fort, which is composed of mud fortifications, about 25 feet high, of a square form, and in length about a quarter of a mile for each side. At each corner there is an angle, with embrasures for three guns, and a bastion on the centre of the north side; the whole surrounded by a fosse, braye and dry ditch. These works are still kept in repair by the Rajah of Mysore; but there are no cannon in the place, nor would the English Government permit any considerable force to be embodied. About thirty of the Raja's soldiers, however, do the town duty, and mount guard at the gates.

At Colar it is said that native gold is found mixed with the soil, but in very small quantities, so as scarcely to repay the poorest sort of people who employ themselves in seeking it. In the afternoon I started on foot, passing through the town, which is composed of one large street, with lanes branching from it, and having shops on both sides of the way. An Indian bazaar is somewhat like the booths at an English fair, for the houses are low, the way is narrow, and the shops crowded with people. Here the most numerous shops were those of goldsmiths and braziers, flower-sellers, and venders of different sorts of coloured powders; indeed these, with shops for provisions and fruit, and those of drug sellers and cloth merchants, are the chief which are seen in a small Indian town. From the profusion of

ornaments worn by Natives, the goldsmith's shops will, of course, be common. Almost all culinary utensils are made of brass. The flower-sellers are employed, not only by women in general, who adorn their hair with real flowers, but by dancing girls in particular, who use many in their dress. There are, moreover, a vast number of flowers and garlands used in all Hindoo ceremonies, and even in the daily one of *pooja*, or the anointment of the idol, they are a necessary article. The shops for coloured powders are resorted to by all Hindoos, who use them to mark their foreheads, according to their caste; and this they do at least once a-day, using turmeric, red and yellow ochre, red sanders wood, fine whiting, &c. It is also a religious practice to smear the body with powder of sandal wood and water, or with the ashes of cow dung. In many ceremonies enjoined by religion, one sees utility aimed at by its founder, and the above practice may serve as an instance; any fine powder is found to keep the body in a cool state, probably by absorbing the perspiration, and Europeans, who are much subject to a rash called the prickly heat, which is brought on by violent perspiration, find no remedy more effectual than a little hair powder puffed over the part affected.

The road out of Colar was extremely beautiful, being lined on either side with various kinds of trees, and more especially with one sort called *soontekari*, which bore a beautiful white flower with a fine scent. About a mile out of the town, on the right hand side of the road, are the mausoleum and tombs of the celebrated Hyder Ali's family. Entering by a gate from the road, we passed into a garden containing the mausoleum itself, several tombs outside it, a house of prayer, and a large stone tank; around this, and in different parts of the garden, cypress trees of great size were growing, which gave a solemnity to the scene, which was increased by the sound of Arabic prayers, repeated aloud by holy men in the place of worship. Inside the mausoleum, which was a plain low room, there were nine tombs, five containing the brothers of Hyder, and three others, with his grandfather, grandmother, and father. Those seen on the outside of the building were of more distant relations. There were none of them covered with cloth, as the tombs of great Musulmans usually are. But holy men are constantly in attendance to sprinkle flowers over the graves, and to light lamps in the vault by night.

Going out of the gate, I perceived a lofty building on the opposite side of the road, which was a sort of charity-house, where about 150 people receive food every night. As music was playing here, which is a usual custom near the tombs of great Mohammedans morning and evening, I conclude this place to be in some way connected with the tomb opposite. I learned, indeed, on the spot, that the distribution was made by the order of the Mysore Government; but it is probable that the whole expense of the establishment is disbursed from that source by order of the British.



I continued my walk, and the road along which I passed was shaded by an uncommon variety of beautiful trees, that seemed to flourish particularly in this spot. The milk-hedge, a kind of euphorbium, whose ramified branches, like coral, are filled with a caustic white juice, here grew to the height of twenty or thirty feet. The walnut, the banian, and the aloe, deepened the shade, and the mango in some places threw its boughs nearly across the road; beyond, on the right, was a ridge of mountains, about three miles off, composed of immense masses of granite, with blocks or boulders on their sides; on the left, and in front, insulated mountains appeared in different directions, and the general character of the country was fine open cultivated plains, covered with the dry grain which had just been reaped.

Across the road, strings of cloth flowers in festoons, were stretched by way of ornament, a respect shown by the Rajah of Mysore for the Commander-in-Chief of the army, who was expected to pass this way in a few days on his route from Madras to Bellari, where he was to join the army about to take the field. This is a custom which seems to prevail all over the East; Lieutenant —— saw it in Java and in Ceylon. The English Government exact this mark of respect from the people whenever a European of distinction has occasion to travel along their roads. As soon as it was dark I got into my palanquin, and found myself next morning, (the 28th,) at five o'clock, in the veranda of the bungalow at Narasapooram, a place only ten miles from Colar. The cause of the shortness of my stage was, that one of my cavalry-men was taken ill in the night, and could not proceed with his load. This man was seized with the Mysore fever, to which Carnatic natives are extremely liable on first coming out of their own country. I immediately discharged him, knowing that his best chance of a speedy recovery was by going back to the lowlands. Experience had taught me this, for, on a former occasion, when I was in Mysore, ten servants out of seventeen were ill of this disorder for several months. At Seringapatam and the town of Mysore, not only do all Natives from the low countries catch the fever, but even Europeans are so liable to it, that there is scarcely an instance of a gentleman remaining either at the one place or the other without being attacked. It is singular that a traveller is not always taken ill of this complaint whilst in the country, but frequently some time after he has quitted it. Sir Samuel Hood died at Madras, of Seringapatam fever, which did not show itself until he had quitted the country.

I had here occasion to remark, that the dress of the Mysoreans differs from that of the inhabitants of the Carnatic. The men wear large round turbans, short loose drawers, and a sheet thrown over their shoulders. The women almost universally wear blue cloths, and I think use a greater quantity of ornament.

Narasapooram is an inconsiderable village. In the evening I walked as usual. The road hence ran nearly in a straight line, and

was lined with trees of the soonkesseri kind. The stems of these were surrounded by a small circular mound of earth, which was daubed with alternate vertical stripes, of white-wash and red ochre. Natives frequently paint the outsides of their mud houses in this way, and Brahmins adorn the walls of the pagodas, and the stems of the cocoa-nut trees growing round their tombs, in the same manner. It has the effect of giving a very stiff and inelegant, though clean appearance, to these places, and the custom probably has its origin in some religious superstition. In the course of my walk I perceived, on the left of the road, some stones or slabs, arranged somewhat after the manner of the Pandoo Covils, but not so large, being open at one end, and having an image carved on the inner side of the stone at the opposite end. These images, which seemed nearly the same in all the recesses, I took for Hanooman, the monkey friend of Rama, and I concluded that these were the graves of some persons who had fallen in battle in the late wars with Tippoo Sultan, and who were perhaps buried on the very spot where they fell. Upon inquiry of some Brahmins, who were near a pagoda in the neighbourhood, I learned that these were small places of worship, dedicated to Eiloo Swamy, a deity of whom I never before heard.\*

On entering my palanquin, I found that my people had not lighted the lantern, which one of them usually carries at night; but that in place of it, they used a lighted stick or natural torch, commonly employed in these parts. It is of a wood so highly inflammable, that it burns with a vivid flame, down to the very stump. Those that my bearers had, were about five feet long and as thick as one's wrist, and they burned about two hours. This was what I had never before seen, though I had heard that certain kinds of pines will burn in this manner, and I remembered that the Latin word, *fax*, literally signifies a torch of this description.

We arrived early the next morning (1st of March) at Cotta Cotta, which was another short stage of fifteen miles; for Bangalore, which was thirty-three miles from whence we had started in the night, we thought rather too distant, and we therefore preferred making two runs of it.

We put up as usual at the bungalow, and I walked round the walls of the fort before the sun became powerful. This was about a mile in circumference, and contained the village inside. It seemed stronger than Native forts usually are, and is the only one I recollect to have seen protected by angles and out-works beyond the ditch.

In starting in the evening, one of the new coolies who had been sent by the Cutwal at Narasapooram to supply the place of the sick man, made great objections to his load, which was, I believe, more than Mysore coolies usually carry. Remonstrances on the part of my palanquin bearers had no effect; but the head bearer, who happened

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\* These are the Vira Kulls noticed by Colonel M'Kenzie,

to have been absent, showed great knowledge of the sort of men he had to deal with, for the moment he came up and heard what was the matter, without using any useless words, he marched towards the man with a stout stick in his hand, and in a menacing posture. The desired effect was immediately produced, the load was on his shoulders, and he was off in an instant.

The people of Mysore, under a despotic Rajah, seem to have much more of the slave about them than those of the Carnatic, where English justice has already produced a certain degree of independence of mind.

The road continued very pretty, and very different from its appearance when I was last in Mysore. It is now the spring of the year, and therefore the pleasantest season. The trees are in blossom, and perfume the air, and the way is varied by running occasionally across the banks of immense tanks, whose vicinity is always the picture of fertility, while the tops of betel trees interspersed, vary the scene. I arrived in the morning at a small choultry, about a mile past Bangalore, where it was my intention to have put up.

The fort of Bangalore I visited on a former journey, but as I took no memorandum respecting it in writing, my recollection of it is imperfect. It is of an oval shape, about a mile in circumference, and is considered pretty strong. In going round its walls, with a European sergeant, I was shown the roofs of the dungeons, where Hyder Ali confined some European officers, whom he had taken. These were treated with some cruelty, and some of them were afterwards murdered. Both Hyder Ali and Tippoo treated their prisoners ill, but especially the latter, who was an intolerant savage, and hated the very name of a Christian. It is said, that at Seringapatam, he caused nails to be driven into the skulls of some Europeans who fell into his power, and at Nuadidroog we were shown part of the rock over which several were hurled. The usual way, however, in which he dispatched them, was by means of his Jetties, a caste of boxers and athletes, who are employed as executioners. One of these men knelt on the breast of the sufferer, whilst another took his head into his hands, and with a jerk dislocated his neck like that of a fowl.

As I was unwell on the occasion of my being last at Bangalore, I had not an opportunity of seeing so much of the cantonment as I could have wished. It seemed, however, to be pleasantly situated on the top of extensive waving plains, which are the highest points of the Mysore country. There is accommodation for three or four regiments of cavalry, as well as infantry, and there is always a European regiment of dragoons quartered there. In India, wherever European soldiers are stationed, the morals of the inhabitants are corrupted, and the streets and bazaars are filled with prostitutes and drunken Natives. The small choultry, where I had intended to stay

during the heat of the day, I found to be occupied by a party of the Rajah of Mysore's sepoy, who were waiting to escort the Commander-in-Chief through the country. I did not attempt to enter, as they would have been obliged to move out, which I did not wish. However, had they done so themselves, it would have been no more than a proper civility to a European, according to the customs of the country. Were I to have the thing mentioned at durbar, it is even probable that they would be punished, but these poor fellows are sufficiently badly off as it is, having hard duty and very irregular pay.

Leaving a note with my servant for the tappaul, or post-office writer; at Bangalore, from whom I was to receive my letters, I proceeded on to Kingery, a place only eight miles further, whither he was to follow me. On the left side of the road, a little beyond the choultry, there appeared on the surface low rocks of granite and basalt, which, for the first time, I found mixing on the large scale; they seemed not to blend in layers, but in masses, and in the granite itself there were here and there insulated masses of felspar. The road henceforward did not differ from those we had already passed; about half a mile before we reached the town, we passed along the bank of a large tank on the right, and a cultivated valley on the left.

Kingery is a considerable place, composed chiefly of one street of half a mile in length, and with shops on each side of the way. At the end of this street, the bungalow, like the rest I had seen, was enclosed in a wall, in this instance of mud, and having the kitchen and other offices outside. There was a small square mud fort, a little further on the left of the road, whose walls were quite out of repair, which had only one gate, and contained a village of mud houses. On my arrival, I found the bungalow occupied by four officers, who very politely asked me in to breakfast with them. I was as usual undressed, and therefore sent to say that I would pay my respects to them as soon as I had put on my clothes; but upon examining my palanquin, I found that my servant had omitted to leave me any day clothes, and the cavity-men who carried them were not come up. Under these circumstances it was impossible to get out, and as I had taken my bearers already eight miles beyond their stage, there was a great difficulty about going on.

I sent for the cutwal to know if there was any Native choultry in the neighbourhood, and was answered in the negative; nor could I procure any hired bearers to run me to the next stage.

As I could not go in to the gentlemen in my night-dress, nor could I remain all day in the open air, I promised my own bearers a sheep, some arrack, and a present in money, to carry me on to Biddidy. They at first seemed to hesitate, but in half a minute the palanquin was on their shoulders again. The difficulty did not

arise from the distance, as they had only come twenty-six miles, and the next stage was only ten more, but the bearers were not prepared for the additional run; they had not taken food since the night before, and the remainder of the journey was to be performed during the heat of the forenoon. After they had taken a hasty meal of cold boiled rice and water, we moved out of the town, and passed along a road, which now began to be hilly, though still lined with trees on each side; the country, too, altered its nature, it became more hilly, and these hills were covered with brushwood and forest trees. When we had gone about five miles, we came up to a fine grove of gigantic mangoes on the right of the road, and as these seemed to offer a cool shade we determined to rest here. We obtained some excellent water from the bed of a neighbouring brook, whither we were directed by a goatherd, who was grazing his flocks under the trees. This water was not visible on the surface, but by removing the sand for about eighteen inches deep, we found a very clear and pure spring. My bearers immediately set to work to cook a meal, and I should have been badly off, as I had tasted nothing since the afternoon of the day before, had they not allowed me to partake of their fare. It was simple enough, being boiled rice, seasoned with a little capsicum and tamarinds. Near the place where we drew the water, and in several other cases where we had occasion to cross currents, I perceived dykes of basalt to run through the granite, and the granite itself was in strata, which were thrown up, so as to be quite vertical. Indeed, all the rocks in this neighbourhood were very curiously and beautifully stratified, so as to assume the appearance of ribbon jasper.

We started about four o'clock from this grove, and arrived at Biddidy at half past five. To my great disappointment the bungalow here also was occupied. It was quite out of the question our going on; and I was relieved from my suspense by a message from the persons within, who were a gentleman and lady, to say that one room was at my service.

This I soon took possession of, and proceeded to distribute the promised reward to my bearers, who were so well pleased with it, that they seemed to have forgotten their fatigues in making preparations for a hearty feast.

The bungalow at Biddidy was as large and convenient as any on the road: the town itself consists of one long street, almost entirely occupied by shops; and the inhabitants, as we approach Seringapatam, seem to live more by traffic, and to be less occupied in feeding and breeding cattle.

THEORETICAL AND PRACTICAL VIEW OF THE LAW OF LIBEL IN  
ENGLAND AND IN INDIA.

No. XIV.

*Practical View of the Law of Libel in England.*

IN 1811, (February 22d,) John Hunt and John Leigh Hunt were tried for a seditious libel, contained in an article republished from the 'Stamford News,' on the subject of military flogging. The article did not impute injustice to any individual. It did not state, nor insinuate, that any soldier had been unjustly punished. It dwelt exclusively on the atrocity of the *nature* of the punishment, which it represented to be so shocking, that on a comparison of the advantages and disadvantages of the English and French military services, it made the scale preponderate in favour of the latter. The article was headed with the following words, by way of motto, taken from a speech of the Attorney-General, when demanding judgment on Mr. Cobbett, (convicted of having published a libel on the subject of flogging some soldiers of the local militia, in the Isle of Ely, for which Cobbett was sentenced to *two* years imprisonment in Newgate,) viz.

'The aggressors were not dealt with as Bonaparte would have treated his refractory troops.'

Mr. Brougham concluded an admirable speech, in which he had quoted passages from publications of Sir Robert Wilson and General Stewart, showing that they had reprobated the punishment of flogging as most injurious to the interests of the service, and the greatest obstacle to enlistment, in language equally strong and impassioned, with the following words :

'The question which you are to try, as far as I am able to bring it before you, is, Whether on the most important and most interesting subjects, an Englishman still has the privilege of expressing himself as his feelings and his opinions dictate.'

To this might not the foreman of the jury have replied : 'Alas ! Mr. Brougham, how can *we* answer such a question in the affirmative ? How could *our* verdict secure so mighty a blessing to our countrymen, or even protect the original publishers of this very paper, of which you may yet have the misfortune to make an unavailing defence before another jury ? It is for *you*, as a member of Parliament, to attempt that arduous path to fame, and to give to Englishmen, for the first time, the privilege of expressing themselves on the most important subjects of public interest, as their feelings and their opinions dictate !'

With equal insolence and absurdity, the Attorney-General was not ashamed to tell the jury, that there should be one law for men of

such rank as Sir Robert Wilson and General Stewart, and another for such persons as the defendants:

'To talk of this publication as supported and justified by the example of the gallant officer who sits by his Lordship, Sir Robert Wilson, or of Brigadier-General Stewart,—to draw up a rank of men, placing the publisher and printer of the 'Examiner' by the side of General Stewart and Sir Robert Wilson,—why it is laughable! Who are those officers to whom he refers? Men of the highest character and rank, in a profession which they adorn,—men entitled to attention from the public. Whether upon such a subject it was well advised in them to give their thoughts to the public, particularly as they might have rendered them more effectual by other communications which their situations enabled them to make to men in power; whether it was prudent for them to indulge themselves in such ardent and glowing language,' &c. &c.

The Attorney-General, however, finds another ground of distinction between Sir Robert Wilson and the defendants. Sir Robert's book had no motto referring to a former prosecution of a libeller!!

If it had, I should have no scruple in saying, that, *however he had endeavoured to cover and conceal it*, he must have had some object beyond the free and liberal discussion which my learned friend says ought to be allowed to every man on every subject. If I had found that Sir Robert Wilson had introduced his publication with a motto which had a reference to the publication of another libel, that gallant officer would not have complained of my supposing that he must have had some other object in view.

After a charge from Lord Ellenborough, containing a repetition of all the observations of the Attorney-General, urged with equal earnestness and anxiety to secure a conviction, the jury withdrew, and after remaining in consultation two hours, returned a verdict finding both the defendants NOT GUILTY.

In less than a month after Mr. Brougham had obtained a favourable answer to his question, Whether Englishmen had the privilege of free discussion? he was compelled to propose the same question to a jury at Lincoln, where John Drakard was the object of Sir Vicary Gibbs's prosecution for the original article on military flogging; and it was now even betting, whether that which a jury had pronounced innocent at Westminster, would be adjudged guilty at Lincoln. Into this information the Attorney-General had introduced some additional passages, none of them stronger, or less justifiable, than those which had been read on the former trial.

On this occasion, Mr. Clarke was the representative of the Attorney-General, and in the course of his speeches afforded some singular indications of his familiarity with the character and sentiments of British soldiers:

'What would be the effect of this libel,' said he, '*in the day of battle?* Who can tell, *when our army meets another army*, what might be effected by this?' 'Wherever the officer goes the soldier will follow, and will never leave him. But can you expect that this will continue to be the

case, if the soldier gets possession of principles like these? "Can any soldier bear this imputation? \* If he is a feeling man, will he continue in the army when he is told he is not fit to contend with the army of his enemy,† and will fly at the sound of the whip?" Bonaparte himself could not have desired a more able coadjutor than he. If himself had suggested a manifesto against the British armies,‡ he could not have found one more likely to serve his purpose.

The conclusion of Mr. Brougham's speech was marked with an involuntary burst of applause: "The sun of England's liberty must be quenched in a night of ignorance and slavery, before the instinctive love of free discussion can cease to assert itself on such occasions." The generous sounds were, however, by no means grateful to the ear of Mr. Clarke.

"It was," he said, "a strong proof of the evil tendency of that libel which you are now inquiring into. What? gentlemen! in a court of justice, when questions of this sort are agitated, when we have had a violent and declamatory speech delivered to us, are persons to be stationed in the Court, in order to express their approbation of it, and to bear down, if they can, the opinion of a jury?"

The summing up of Sir George Wood, a Baron of the Court of Exchequer, was even more hostile than that of Lord Ellenborough. He reminded the jury, that they were "as capable of judging of the merits of any case as a jury in Westminster." He said:

"I shall not trouble you with a repetition of the disgusting parts of this paper. You have heard very able comments made upon it by the counsel for the Crown; and I entirely agree with him." "It is the opinion of many, that the British press is one of the agents he (Bonaparte) uses in order to effect his purposes;" &c. "The House of Parliament is the proper place for the discussion of subjects of this nature; there it should appear, and not in pamphlets or newspapers, combined with seditious and inflammatory matter." § "It is said, that we have a right to discuss the acts of our legislature. THIS WOULD BE A LARGE PERMISSION INDEED. Is there, gentlemen, to be a power in the people to COUNTERACT the acts of the Parliament? and is the libeller to

\* That is to say, that he is more afraid of the brandishing of cat-o'-nine-tails than of meeting a line of hostile bayonets.

† On the contrary, the words in the passage referred to are, "We entertain no anxiety about the character of our countrymen in Portugal, when we contemplate their meeting the bayonets of Massena's troops:" the rest is fair sarcasm;—but we must own we should tremble for the result, were the French general to dispatch against them a few hundred drummers, each brandishing a cat-o'-nine-tails." The 'feeling man' is therefore told the reverse of what Mr. Clarke supposed.

‡ Did Bonaparte ever issue manifestoes against the armies of his enemies?

§ What could the judge mean by a discussion appearing in Parliament and not in newspapers? There is not a syllable in the libel before the Court which might not have been spoken in Parliament, and consequently published in every newspaper.



come and make the people dissatisfied with the government under which he lives? This is not to be permitted to any man,—it is unconstitutional and seditious.’

The Jury returned a verdict of GUILTY.

In 1812, Daniel Isaac Eton was tried for the publication of the third part of Paine’s ‘Age of Reason.’ The defendant read an address in his own defence. After he had proceeded some short time, and had begun to state that the Bible was full of contradictions,—

‘LORD ELLENBOROUGH.—Defendant, I must inform you that this is not to be made use of as an opportunity for you to revile the Christian religion; and if you persist in aspersing it, I will not only silence you, but I will animadvert on your conduct as an offence of the grossest kind, against the dignity of the Court.

‘DEFENDANT.—My Lord, I have no intention whatever of giving offence.

‘LORD ELLENBOROUGH.—If there is anything in that paper that will serve you, read it; but I will not suffer the Christian religion to be reviled while I sit in this Court, and possess the power of preventing it.

‘DEFENDANT.—I believe there is nothing in what follows that can offend any person.’

After he had gone on a little, quoting from Esdras, chap. 14.—

‘LORD ELLENBOROUGH.—I cannot permit you to proceed thus; when you come to any offensive expressions, *leave them out*. If there is anything that can be useful to you (which, from the tenor of the address, I fear there is not) the Court will hear it; but I cannot allow you to go on in this strain of invective.’

After the defendant had proceeded a little, commenting on the promise made to Abraham,—

‘LORD ELLENBOROUGH.—You are evidently coming to something reprehensible, and it is necessary you should be checked.

‘DEFENDANT.—My Lord, I have only two or three sheets more to read.

‘LORD ELLENBOROUGH.—It is not the length of the address which constitutes the offence, but the matter of which it is composed. It is shocking to me, and to every Christian present.

‘DEFENDANT.—When the address is heard out, it will be found relevant to my defence.

‘LORD ELLENBOROUGH.—You must omit those passages which cast any reflection on the Scriptures.

‘DEFENDANT.—For I cannot, nor ever could, perceive any, the smallest similarity, between the God of the Jews and the God of the Christians, as supposed to be worshipped in the present day—

‘LORD ELLENBOROUGH.—You must see that this is unfit for yourself to read, and for us to hear. If you go on in this manner, I must order your address to be handed to the officer; and he, when reading it, must pause, and omit every offensive sentence. I tell you once more that I will not permit the Christian religion to be reviled. *Look a little at each passage before you read it*, and do not insult the Court with offensive matter.’

After the defendant had advanced a little farther, commenting on the destruction of the Midianites—

‘LORD ELLENBOROUGH.—I see that I shall be obliged to do as I have said, and exclude you from reading any more. Even in affidavits, on occasions of much less importance, where there is impertinent matter introduced, the Court will not permit it to be read; much less will they suffer such grievous and abusive observations on the Scriptures.

‘DEFENDANT.—I do not hear what your Lordship says—

‘LORD ELLENBOROUGH.—I speak clearly and distinctly; I say, if that paper contains more matter, so highly defamatory of the Christian religion as what you have already recited, I will prevent you from reading farther, and will restrain you to a parole defence; for that address appears to be most mischievous.

‘DEFENDANT.—What your Lordship objects to is confined to this paragraph.

‘LORD ELLENBOROUGH.—Then leave it out; read over the paper, and mark out such passages as are improper.’

The defendant here sat down.

‘LORD ELLENBOROUGH.—I will not give much time, for that paper is not drawn up like a defence; it is framed as an insult to the Court. Lay down your paper, which does not bear any semblance to a defence, and address the Court, if you please.

‘DEFENDANT.—I conceive every part of this paper as my defence.

‘LORD ELLENBOROUGH.—It forms part of your offence against the public; but I see nothing in it like a defence.

‘DEFENDANT.—My Lord, the whole of it is in reference to my defence.

‘LORD ELLENBOROUGH.—It is in further evidence of your offence—defence it is none. And is it to be endured, that a man, indicted for a crime, should stand up in open Court and add to his former delinquency? Is there anything that can assist you in that paper? If there is, the jury will hear it.

‘DEFENDANT.—My Lord, in my defence, I must necessarily say something about religion.

‘LORD ELLENBOROUGH.—But you must not defame it.

‘DEFENDANT.—It is not my wish to do so.

‘LORD ELLENBOROUGH.—Then read only that which is decent and respectful.

‘DEFENDANT.—What I wish here to prove is, that our God was not the God of the Jews—ours is a merciful God, and therefore could not have been the God of the Jews.

‘LORD ELLENBOROUGH.—On consideration, I believe the public will be better served by permitting every word to be read by you; and, of course, YOU WILL ABIDE THE CONSEQUENCES. Begin your address over again, if you please—do not miss a syllable—I AM SURE THE COUNTRY WILL NOT BE INJURED BY IT.

‘DEFENDANT.—I do not desire to begin it again.

‘LORD ELLENBOROUGH.—Go on straight forward.’

Let us here pause a moment, and ask whether (not to speak of the

humour of the whole scene, which is not surpassed by anything in Foote or Moliere) there ever was a more distinct confession from the highest authority,—because from the most unwilling witness,—or a more triumphant demonstration, that no attack on the Christian religion, however ‘blasphemous,’ violent, or argumentative, could be productive of the smallest injury. Yet the person who is thus confessed to have done no injury to individuals or the public, is in the same moment threatened with severe punishment!! His defence was at once harmless, and further evidence of his offence—an addition to his former delinquency? The public would be better served by hearing him say his worst; there was then no ‘pernicious tendency’ in his address, nor in the ‘Age of Reason,’ (for there was a perfect conformity between the two,) yet on the ground of their ‘pernicious tendency’ he was to suffer an aggravated and ignominious punishment for both!

When the defendant had concluded, he was handing up twelve copies of the publication to the jury-box, but was prevented by the Court; and on the suggestion of Mr. Garrow, Lord Ellenborough gave directions that they should be taken by one of the officers.

MR. ATTORNEY-GENERAL.—My Lord, I rise only to assert my right to reply; for I shall not give any importance to that which has fallen from the defendant, by making any observations on it.

LORD ELLENBOROUGH.—Gentlemen of the Jury, considering whom I am addressing—twelve Christian men, who have lately sworn on the holy Evangelists—it is scarcely necessary to make any observations on this case. While he was reading his address, I felt more pain in the execution of my duty than it is possible for me to express. That paper, from beginning to end, was the most opprobrious [but *innocent*] invective against what we have always been accustomed to regard as holy and sacred—the religion of our country. ‘The whole object of the work is clearly summed up in the concluding sentence, which has been read by the Attorney-General, [viz. “I will define what it (infidelity) is—He that believes in the story of Christ, is an infidel to God;”] and which cannot leave a doubt on your minds as to the *pernicious tendency* of the publication.’ Gentlemen, I leave it to you, as twelve Christian men, to decide whether this is not a most blasphemous and impious libel.

MR. ATTORNEY-GENERAL.—I pray, my Lord, the defendant may not be suffered to leave the Court.

LORD ELLENBOROUGH.—Let the tipstaff see that the defendant does not leave the Court.

The Jury returned a verdict of GUILTY.

MR. ATTORNEY-GENERAL.—I pray that the defendant may be committed.

LORD ELLENBOROUGH.—Let him be committed to Newgate.

On being brought up for judgment, several affidavits in his favour were read; and Mr. Prince Smith addressed the Court on behalf of the defendant in a very able speech, in which, though he professed not to intend to impeach either the law or the verdict, he controverted and denied all the grounds on which they could be established.

The logic of the Attorney-General's reply may be estimated from the following passage:

'The learned gentleman had asserted with more smartness than foundation, in fact, that the Attorney-General, by his informations, shut up the gates of knowledge.' If he were to indict a man for *murder*, he should certainly shut out from the inquiry, whether murder were or were not a crime, but not whether the accused were guilty or not. As to the gentleman's opinion of the most judicious manner of treating infidel writers, with which he had favoured the Court, he might, with all his knowledge, have found [that force was an instrument for investigating truth, and converting the mistaken? no, but] that there was not a syllable in the pamphlet which had not been drawn from the very dregs of infidelity, and which had not been answered over and over again.'

He was sentenced to be imprisoned *eighteen months* in Newgate, and to stand in the *PILLORY* once within a month.

In 1813, Mr. Hugh Fitzpatrick, who had carried on the business of a bookseller and printer, in Dublin, for near forty years, was for the first time arraigned for publishing a scandalous and seditious libel upon the Duke of Richmond, Lord Lieutenant of Ireland. The libel was contained in a volume of three or four hundred pages, entitled, *A Statement of the Penal Laws which aggrieve the Catholics of Ireland, with Commentaries*; in two parts, part 2; and was not dispersed through the book, nor confined to a few pages, but contained in a note of a few lines at the foot of one page: viz. (page 229.)

At the summer assizes of Kilkenny, 1810, one Barry was convicted of a capital offence, for which he was afterwards executed. This man's case was truly tragical: he was wholly innocent—was a respectable Catholic farmer in the county of Waterford, in good circumstances. His innocence was clearly established in the interval between his conviction and execution. Yet he was hanged, publicly avowing his innocence!!! There were some shocking circumstances attending this case, which the Duke of Richmond's administration may yet be invited to explain to Parliament.

It appeared that the author of the book had been misinformed respecting the case of Barry; that there were no grounds for an imputation on the Duke of Richmond or his council; that the fate of Barry had not been at all influenced by his religious persuasion, which was not known during nor after his trial; but that when he petitioned that his trial might be postponed, on an affidavit, stating, that certain absent witnesses were most material to his defence, Lord Norbury, after conference with Baron George, before whom the prisoner had been tried and convicted at Clonmell, refused to postpone the trial, whereupon the prisoner's counsel, Mr. Burrows Campbell, refused to defend the prisoner, and left the Court immediately.

While the Attorney-General was stating the case, he was interrupted as follows :

' Mr. SCULLY.—My Lords, I have an observation to make upon the subject. If the Attorney-General will undertake to put the truth of 'the statement' into a proper course of candid investigation, I can inform him *who the author is*, and I throw out that challenge to him.

' Mr. ATTORNEY-GENERAL.—I did presume and had anticipated that *such an attempt* would be made, and I am now confirmed in my opinion. The gentleman knows right well, as he takes this matter upon himself, how and when to bring the acts of the government into question.'—' I am here prosecuting a libel, and would not stoop, even if the law would permit, in such a case, to defend the government on the arraignment of the libellous author of the "*Statement of the Penal Code*."

In the course of the Solicitor-General's reply to the defence, he said :

' If ever there was a country in which the promulgation of such a doctrine was more particularly fraught with danger than in all others, it is this. A large proportion of our people, imperfectly educated, and slowly advancing to civilization, quick and mercurial in their character, of susceptible temper, and of ardent spirit.'—' If a missionary of sedition should go amongst the infatuated people, with this book in his hand, and preach to them rebellion against the laws, which neither offered to them protection, justice nor mercy; should assure them' &c. &c. 'what outrage, what crimes, what horrors, must not be expected? Who could bear to bring to punishment this deluded rabble? What government could stand justified in letting loose the vengeance of the laws upon the miserable and devoted populace; if, by a criminal apathy, the libellous *author of such mischief* should be suffered to escape with impunity? I shall not say, indeed it is difficult to conceive, that the author could have *intended* all the complicated mischief with which it is the obvious tendency of this work to threaten his native country.. He cannot have contemplated the possibility of any man in Ireland of ordinary information, or experience, swallowing the monstrous misrepresentations with which this libel abounds. Nay, he could scarcely have reckoned upon the credulity of the lowest vulgar. *I rather think he had a different object.* This fabric was made up *for the English market*: in that country our laws and habits and characters are but imperfectly known, and have often been misrepresented too successfully: it is the seat of empire and legislation, and the author may have had his views, in disgusting the Protestant mind in England with this monstrous libel upon the Protestant Government of Ireland.'

The jury found a verdict of *Guilty*.

Afterwards, the Attorney-General said :

' If the defendant will give up the author of the publication, I will consent to his standing out upon his own recognizance. If that be not acceded to, I will propose that such security *will* be given as *will* compel the defendant to answer the charge, and render him answerable to justice. I propose that he shall enter into a recognizance of 1000*l.* by himself, and two sureties of 500*l.* each.'

This proposition was acceded to on the part of the defendant,

# **POMPEII.—A PRIZE POEM.**

*Recited in the Theatre, Oxford, June 27, 1827.*

How fair the scene ! the sunny smiles of day  
Flash o'er the wave in glad Sorrento's bay;  
Far, far along mild Sarno's glancing stream,  
The fruits and flowers of golden summer beam,  
And cheer, with brightening hues, the lonely gloom  
That shrouds yon silent City of the Tomb !  
Yes, sad Pompeii ! Time's deep shadows fall  
On every ruin'd arch and broken wall ;  
But Nature smiles as in thy happiest hour,  
And decks thy lowly rest with many a flower.  
Around, above, in blended beauty shine  
The graceful poplar and the clasping vine ;  
Still the young violet, in her chalice blue,  
Bears to the lip of Morn her votive dew ;  
Still the green laurel springs to life the while,  
Beneath her own Apollo's golden smile ;  
And o'er thy fallen glories beams on high  
The beauty of the Heavens—Italia's sky !

How fair the scene ! even now to Fancy's gaze  
Return the shadowy forms of other days ;  
Those halls, of old with mirth and music rife,  
Those echoing streets that teem'd with joyous life,  
The stately towers that rose along the plain,  
And the light barks that swept yon silvery main,  
And see ! they meet beneath the chesnut shades ;  
Pompeii's joyous sons and graceful maids  
Weave the light dance—the rosy chaplet twine,  
Or snatch the cluster from the weary vine ;  
Nor think that Death can haunt so fair a scene—  
The Heaven's deep blue, the Earth's unsullied green.

Devoted City ! could not aught avail  
When the dark omen told thy fearful tale ?  
The giant phantom dimly seen to glide,  
And the loud voice that shook the mountain side,  
With warning tones that bade thy children roam,  
To seek in happier climes a calmer home ?  
In vain ! they will not break the fatal rest  
That woos them to the mountain's treacherous breast :  
Fond Memory blends with every mossy stone  
Some early joy, some tale of pleasure flown ;  
And they must die where those around will weep,  
And sleep for ever where their fathers sleep.  
Yes ! they must die : behold ! yon gathering gloom  
Brings on the fearful silence of the tomb ;  
Along Campania's sky yon murky cloud  
Spreads its dark form—a City's funeral shroud.

How brightly rose Pompeii's latest day !  
The Sun, unclouded, held his golden way,—

Vineyards, in Autumn's purple glories drest,  
 Slept in soft beauty on the mountain's breast:  
 The gale, that wanton'd round his crested brow,  
 Shook living fragrance from the blossom'd bough;  
 And many a laughing mead and silvery stream  
 Drank the deep lustre of the noonday beam:  
 Then echoing Music rang, and Mirth grew loud  
 In the glad voices of the festal crowd:  
 The opening Theatre's wide gates invite,  
 The choral dance is there, the solemn rite—  
 There breathes th' immortal Muse her spell around,  
 And swelling thousands flood the fated ground.  
 See! where arise, before th' enraptured throng,  
 The fabled scenes, the shadowy forms of Song!  
 Gods, that with heroes leave their starry bowers,  
 Their fragrant hair entwined with radiant flowers,  
 Haunt the dim grove, beside the fountain dwell—  
 Strike the deep lyre, or sound the wreathed shell—  
 With forms of heavenly mould; but hearts that glow  
 With human passion, melt with human woe!  
 Breathless they gaze, while white-robed priests advance,  
 And graceful virgins lead the sacred dance;  
 They listen, mute, while mingling tones prolong  
 The lofty accent, and the pealing song,  
 Echo th' unbending Titan's haughty groan,  
 Or in the Colchian's woes forget their own!  
 Why feels each throbbing heart that shuddering chill?  
 The music falters, and the dance is still—  
 'Is it pale Twilight stealing o'er the plain?  
 Or starless Eve, that holds unwonted reign?  
 Hark to the thrilling answer! who shall tell  
 When thick and fast th' unsparing tempest fell,  
 And stern Vesuvius pour'd along the vale  
 His molten cataracts, and his burning hail:—  
 Oh! who shall paint, in that o'erwhelming hour,  
 Death's varying forms, and Horror's withering power?  
 Earthquake! wild Earthquake! rends that heaving plain,  
 Cleaves the firm rock, and swells the beetling main:  
 Here yawns the ready grave, and, raging, leap  
 Earth's secret fountains from their troubled sleep:  
 There, from the quivering mountain bursts on high  
 The pillar'd flame, that wars along the sky!  
 On, on they press, and maddening seek in vain  
 Some soothing refuge from the fiery rain,  
 Their home? it can but yield a living tomb,  
 Round the loved hearth is brooding deepest gloom.  
 Yon sea? its angry surges scorching rave,  
 And deathfires gleam upon the ruddy wave.  
 Oh! for one breath of that reviving gale  
 That swept at dewy morn along the vale!  
 For one sad glance of their beloved sky,  
 To soothe, though vain, their parting agony!  
 Yon mother bows in vain her shuddering form,  
 Her babe to shield from that relentless storm:

Cold are those limbs her claspings arms constrain,  
 Even the soft shelter of her breast is vain !  
 Gaze on that form ! 'tis Beauty's softest maid,  
 The rose's rival in her native shade ;—  
 For her had Pleasure rear'd her fairest bowers,  
 And Song and Dance had sped the laughing hours.  
 See ! o'er her brow the kindling ashes glow,  
 And the red shower o'erwhelms her breast of snow,  
 She seeks that loved one—never false till then ;  
 She calls on him—who answers not again :  
 Loose o'er her bosom flames her golden hair,  
 And every thrilling accent breathes despair !  
 Even the stern priest, who saw, with raptured view,  
 The deathless forms of Heaven's ethereal blue,  
 Who drank, with glowing ear, the mystic tone,  
 That clothed his lips with wonders not their own,  
 Beheld the immortal marble frown in vain,  
 And fires triumphant grasp the sacred fane,  
 Forsook at last the unavailing shrine,  
 And cursed his faithless Gods—no more divine !

~~Now~~ **Morn came in beauty still—and shone as fair,**  
**Though cold the hearts that hail'd its radiance there ;**  
**And Evening, crown'd with many a starry gem,**  
**Sent down her softest smile—though not for them !**  
**Where gleam'd afar Pompeii's graceful towers,**  
**Where hill and vale were clothed with vintage-bowers,**  
**O'er a dark waste the smouldering ashes spread,**  
**A pall above the dying and the dead.**

Still the dim City slept in safest shade,  
 Though the wild waves another Queen obey'd,  
 And sad Italia, on her angry shore,  
 Beheld the North its ruthless myriads pour ;  
 And Nature scattered all her treasures round,  
 And graced with fairest hues the blighted ground.  
 There oft, at glowing noon, the village maid  
 Sought the deep shelter of the vineyard shade ;  
 Beheld the olive bud—the wild-flower wave,  
 Nor knew her step was on a People's grave !  
 But see ! once more, beneath the smiles of day,  
 The dreary mist of ages melt away !  
 Again Pompeii, 'mid the brightening gloom,  
 Comes forth in beauty from her lonely tomb.  
 Lovely in ruin—graceful in decay,  
 The silent City rears her walls of grey ;  
 The clasping ivy hangs her faithful shade,  
 As if to hide the wreck that Time had made ;  
 The shatter'd column on the lonely ground,  
 Is glittering still, with fresh acanthus crown'd ;  
 And where her Parian rival moulders near,  
 The drooping lily pours her softest tear !  
 How sadly sweet with pensive step to roam  
 Amid the ruin'd wall, the tottering dome !  
 The path just worn by human feet is here ;  
 Their echoes almost reach the listening ear ;



The marble hall with rich Mosaic drest ;  
 The portal wide that woos the lingering guest ;  
 Altars, with fresh and living chaplets crown'd,  
 From those wild flowers that spring fantastic round ;  
 Th' unfinished painting, and the pallet nigh,  
 Whose added hues must fairer charms supply.  
 These mingle here, until th' unconscious feet  
 Roam on, intent some gathering crowd to meet :  
 And cheated Fancy, in her dreamy mood,  
 Will half forget that all is solitude !

Yes, all is solitude ! fear not to tread,  
 Through gates unwatch'd, the City of the Dead,  
 Explore with pausing step th' unpeopled path,  
 View the proud hall—survey the stately bath,  
 Where swelling roofs their noblest shelter raise ;  
 Enter ! no voice shall check th' intruder's gaze !  
 See ! the dread legion's peaceful home is here,  
 The signs of martial life are scatter'd near.  
 Yon helm, unclasp'd to ease some warrior's brow,  
 The sword his weary arm resign'd but now ;  
 Th' unfinished sentence traced along the wall,  
 Broke by the hoarse centurion's startling call :  
 Hark ! did their sounding tramp re-echo round ?  
 Or breath'd the hollow gale that fancied sound ?  
 Behold ! where 'mid yon fane, so long divine,  
 Sad Isis mourns her desolated shrine !  
 Will none the mellow reed's soft music breathe ?  
 Or 'twine from yonder flowers the victim's wreath ?  
 None to yon altar lead with suppliant strain  
 The milk-white monarch of the herd again ?  
 All, all is mute ! save sadly answering nigh  
 The nightbird's shriek, the shrill cicala's cry.  
 Yet may you trace, along the furrow'd street,  
 The chariot's track—the print of frequent feet ;  
 The gate unclosed, as if by recent hand ;  
 The hearth, where yet the guardian Lares stand ;  
 Still on the wall the words of welcome shine,  
 And ready vases proffer joyous wine :  
 But where the hum of men, the sounds of life ?  
 The Temple's pageant, and the Forum's strife ?  
 The forms and voices, such as should belong  
 To that bright clime, the land of Love and Song ?  
 How sadly echoing to the stranger's tread,  
 These walls respond, like voices from the dead !  
 And sadder traces—darker scenes are there,  
 Tales of the Tomb, and records of Despair.  
 In Death's chill grasp unconscious arms enfold  
 The fatal burthen of their cherish'd gold.  
 Here, wasted relics, as in mockery, dwell  
 Beside some treasure loved in life too well ;  
 There, faithful hearts have moukder'd side by side,  
 And hands are clasp'd that Death could not divide !  
 None—none shall tell that hour of fearful strife,  
 When Death must share the consciousness of life ;

When sullen Famine, slow Despair, consume  
The living tenants of the massive tomb :  
Long could they hear above the incumbent plain,  
The music of the breeze awake again,  
The wave's deep echo on the distant shore,  
And murmuring streams that they should see no more !  
Away ! dread scene ! and o'er the harrowing view  
Let Night's dim shadows fling their darkest hue !  
But there, if still beneath some nameless stone,  
By waving weeds and ivy-wreaths o'ergrown,  
Lurk the grey spoils of Poet or of Sage,  
Tully's deep lore, or Livy's pictured page ;  
If sweet Menander, where his relics fade,  
Mourn the dark refuge of Oblivion's shade ;  
Oh ! may their treasures burst the darkling mine,  
Glow in the living voice, the breathing line !  
Their vestal fire our midnight lamp illumine,  
And kindle Learning's torch from sad Pompeii's tomb !

R. S. HAWKER, Magdalen Hall, Oxford.

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ON THE NOBILITY OF THE SKIN.

CHAP. VI.

*Means whereby to hasten the Abolition of the Prejudice concerning  
the Pre-eminence of Colour ; Influence of the Laws, the  
Magistrates, and the Clergy.*

JUSTICE and truth are goods in common, and equally the prosperity of all nations ; all are interested in their triumph over vice and error, and each person, within the sphere of his ability, ought to exert himself to promote it to the utmost of his power. The conformity of rights and duties is a tie which binds together all the ramifications of the human race.

The range of duties to be performed is, of necessity, most extensive for those who, raised above others in dignity, are the agents of legal power, and especially for those who, placed at the summit of political institutions, not only administer, but create the laws by which others are to be governed.

It has been already observed, that several laws and ordinances dictated by the prejudice against colour, have fallen into disuse. Among these is that decree of the year 14 (1805), which prohibited throughout France the marriage of white persons with negroes or those of a mixed race ; but laws abrogated by custom and opinion, without having been formally revoked, are a menace in reserve, an existing threat to be held up in *terrorem*. Such are in England the law against the Catholics of Ireland, and among ourselves several decrees, both of the reign of Napoleon, and of that government

termed emphatically *the time of terror*. In that arsenal of equality, worthy of the days of Draco, weapons were frequently forged by which their inventors were the first to fall.

The power of laws becomes imaginary when they are paralysed in their exercise by the apathy or the cupidity of those whose office it is to administer them. Such is with us the law which expressly forbids the slave-trade, while our flag, dishonoured when it waves over a floating prison, bears slaughter and desolation to the shores of Guinea.\* Cannibals from the European continent supply other cannibals of Martinique and Guadaloupe with their prey of human victims.

Doubtless, they have accomplices at Marseilles, St. Malo, Havre, Paris, and other cities; but Nantes is the focus and centre of this atrocious traffic. At Nantes are to be seen, with just abhorrence, those monsters in human shape, whose homicidal eyes are ever turned towards Africa and the Antilles; who go forth like the Evil One, 'seeking whom they may devour,' and are more terrible to the negro race than the panthers and tigers of their native forests. Who will believe that the constituted authorities in France have not the power to prevent such open violation of a known law? Have they not a military police? Is there any lack of spies and informers? Besides, the very construction of these accursed ships, the nature of the provisions taken on board them, and various other indications, render their destination sufficiently manifest. Like the blood shed by the first murderer, the blood of Africa streams up to heaven, and calls for vengeance upon the inhabitants of Nantes. The crime is openly committed; is it not to be presumed, that a connivance from motives of interest causes its impunity?

The United States, England, and some other countries, have branded negro-traders with infamy, by placing them on a level with pirates, and fixing the same penalty upon their offence. Since reiterated entreaties have failed to obtain the adoption of the same measure in France, the motive for refusal may be devined. A sense of the respect due to public opinion, among an enlightened people, ought of itself to be a strong incentive to men who have not renounced every sentiment of religion and humanity, every feeling of shame. A man who has not forfeited every claim to self-esteem would surely refuse to seat himself at the same board, or to make part of the same society with a negro-trader. Under that odious denomination, may be comprised all those individuals who share in the profits of the traffic: the salesman, the armourer, the insurer, the surgeon, the steward, the sailor, &c. &c. With the same reprobation should be viewed all those who display an ill-gotten wealth arising from the trade. Should they not inspire as much contempt

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\* See 'Nineteenth Report of the Directors of the African Institution,' &c., in 8vo., London, 1825, p. 9.

as those mercenary soldiers, who having formerly earned an honourable fame by figuring among the defenders of liberty, now degrade their country by selling it, to become the tools of despotism? Such are those Frenchmen who now aid the ferocious Turk to crush their fellow Christians, struggling for life and liberty in Greece.

Public opinion ought equally to blast vice and depravity, under whatever tint or shade of colour, and under the homage of respect to purity of morals, whatever be the hue of the persons with whom it is found.

It is in the power of the laws of every country to promote the extinction of the prejudice against the negro colour, by favouring mixed marriages, and granting to such alliances the same privileges which attend the union of persons of the same colour; they may also do it by admitting persons of the negro and mixed races to public offices of trust, when they have sufficient merit to fill them; they may do so by extending to children of those denominations the benefits of a liberal education, and the means to develop the intelligence with which nature has endowed them.

The representatives of the nation might contribute powerfully to ripen the public opinion to a maturity of candour and justice, *if they were freely and truly elected*; but the deceptive way in which the representative system, perverted in its purpose and its essence, is now carried on, renders their influence but an aggravation of the evil. To the advantages which the debates in the forum might give to the question before us, let us add those which result from the publication of judicial pleadings and decisions. Such, for instance, as those of 1824, in the affair of the exiles of Martinique, when Mr. Isambert, by his printed memorials, and his forensic eloquence, excited the indignation of the public against the prosecution carried on against men of colour. Two brothers of the name of Foucher, at Bordeaux, solicited in vain the support of a generous and able advocate. The times are changed; the victims of oppression of every colour and of every class are now sure to find protectors at the bar of Paris, and in the provinces.

The difference of colour is a physical peculiarity which has been transformed into a political question, and therefore becomes connected with the philosophy of physical and moral opinion. The Catholic religion, incapable of any compromise with vice, has lifted its voice against the slave-trade and against the existence of slavery, by the papal authority in Italy, and among us by a decree of the Sorbonne, in 1697.\* But, with these exceptions, where shall we find ministers of the sanctuary in France, or in the French colonies, who have acquitted themselves of this pious duty, while in England and the

\* See *Nouveau Voyage aux Antilles*, par Labat. In 8vo. Paris, 1722, vol. iv., p. 119 and 120.

United States numerous preachers, both of the Anglican church and dissenters, have pleaded from the pulpit in the cause of Africa?

Apostolic vicars, colonial prefects, bishops *in partibus*, (denominations foreign to the real hierarchy,) being placed in the islands at the head of the clergy, have published some catechisms in the French language; and even in the Creole jargon; but in vain may be sought in them any instructions upon the right of the slaves to enjoy freedom, or the duties of the colonists to that effect. A French catechism, printed in 1825, in the Isle of France, by the Bishop of Ruspá, *in partibus*, is open to the same objection. A supplement to fill up these omissions becomes indispensable.

But, it will be said, the administrative authority would forbid the circulation of elementary or ascetic works conducted on this plan; nor would the colonists submit to exhortations, much less to oburgations, from the pulpit upon this matter. I am prepared for the objection.

The sanhedrin of the Jews caused the apostles to be flagellated and imprisoned for preaching the doctrine of their Divine Master. The apostles gloried to be thought worthy to suffer for the name of Jesus, and continued to preach. At that epoch, there also existed a species of slavery, less cruel, indeed, than that of the colonies of our time: and while, on the one part, the apostles recommended resignation and submission to the slaves; on the other, they did not fail to inculcate to the masters moderation, and a spirit of charity. They proclaimed aloud, that all children of the gospel are equal before God,—that divine doctrine, whose operation is to shake tyranny to its very foundation, which leads inevitably to an order of things suitable to the wants and claims of humanity, and which, by constant, though insensible collision, broke at length the fetters of slavery, in the age which it softened and enlightened.

One of the most august characters which Jesus Christ himself gave to his mission, is, that 'He came to preach the gospel to the poor,—to wipe all tears from all faces.' Such is the office with which he invests the priesthood of the new law!

To whom, then, do the Catholic pastors of our epoch consider themselves the successors? Is it to the apostles, the disciples, or to those priests whom the prophet Isaiah terms watch-dogs who do not bark\*.

The slave islands have been visited by missionaries, whose genius has enlightened, and whose virtues have edified them. Gratitude and respect have inscribed on their historic annals the names of Claver, Vieira, Nicholson, Jacquemin, and, above all, of Father Boutin, who died at St. Domingo in 1742.† But it is a melancholy

\* Isaiah, chap. lvi. 10.

† See 'Lettres édifiantes.' In 12mo, Paris, 1781.

consideration, that even their merit becomes more striking from the contrast it presents with that of several monks, who, being themselves the masters of slaves, sanctioned, by their example, a custom inherently vicious and criminal. In the colonies, whether Catholic or Protestant, neither sanctity of manners nor morals prevail; but that external worship which, under such circumstances, becomes a mere pageant.

Some recent ameliorations lead us to hope for more extensive benefits. How grand and respectable is the ministry of a priest, commissioned, in the name of heaven, to defend the oppressed, who soothes, encourages, and consoles them, by guiding their hopes to a new existence, beyond the boundaries of this life, and, at the same time, fills with remorse and terror the soul of the oppressor!

It is in those countries where slavery is tolerated and established, that pastors ought more especially to call to mind those passages in the Holy Scriptures, where the *buyers and sellers of men* are likened to assassins, and the severest anathemas are denounced against them\*. It is there that, armed with authority, they should expound that gospel which sets forth so admirably the theory of rights and duties; as also that remarkable letter of Saint Paul to Philemon, in favour of his beloved Onesimus. It is there that, with fervent zeal, they should weary the ears of the planters with the ceaseless repetition of these precepts, dictated by reason, and consecrated by revelation: 'Hear this, ye who crush the poor, and oppress those who are in affliction;† do not unto others what you would not should be done unto you; do unto men as ye would they should do unto you; love your neighbour as yourself,‡

In those butcheries of the human race termed wars, so frequent among Christians, and so contrary to the spirit of Christianity, the right of reprisal has been tolerated by custom. Slaves, who escaped from their masters (*maroons*, as they are called,) do not even avail themselves of the right of reprisal, since in running away from slavery they do but repossess themselves of the right of freedom to which they were born; yet their doing so is accounted a crime, and punished by torture.

Sometimes the planters call the sacerdotal authority in aid to bring back their maroon negroes to their plantations. Who but must see with indignation missionaries, among these Father Fauques, a Jesuit of Cayenne, talking to these fugitives of the injury their flight causes their masters, and the ill consequence of their example!§ According to that argument, a traveller who has been

\* See Exodus, xxi. 16; Deut. xxiv. 7; 1 Epist. to Timothy, i. 10.

† See Amos, viii. 4.

‡ Tobit, iv. 16; St. Math. vii. xii. and xix, 19; St. Mark, vii. 31.

§ See 'Lettres édifiantes, &c. vol. viii. p. 26.

robbed is criminal if he succeeds in wresting his purse from the hands of the thief. Here is, indeed, a complete overturn of every sound notion of equity. The acts which establish slavery being, in their essential purport, a manifest violation of justice, have no right to bear the name of laws. Are they not, in fact, an aggression of force against weakness? Can force constitute a right? Submission and resignation may therefore be recommended to slaves by prudence, but can never be enjoined to them on conscientious motives: their very masters would become sensible of this truth, if they were sincere enough to ask of their own hearts, how they would desire, think, and act, were they to change places with their slaves.

To purchase men is of itself a crime; how much is it aggravated by the ill-treatment of them, and by the obligation to labour without remuneration! Thence it follows, that to give them freedom, to pay them wages proportionate to their work, to make amends by the effusions of benevolence for the outrages and contempt which have overwhelmed them, are indispensable and imperious duties. Such are the truths that, without respect of persons, the minister at the altar should proclaim. If he continue silent, he is an accomplice in the guilt;—to this he has been ordained, for this his Divine Master has sanctified him. He inherits not the authority of Christ, if he inherit not also his charity.

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### THE PAPER NAUTILUS.\*

Slow steals the tide on India's scented shore,  
 The winnowing breezes skim the surface o'er;  
 From ocean-depths, where many a wonder lies,  
 Playful and proud, the living navies rise;  
 Press'd from the beauteous shell the obtrusive brine,  
 The light bark floats—its painted furrows shine;  
 The filmy sails their tender powers display,  
 Impell'd it glides along the liquid way;  
 Its oary arms the yielding waves divide,  
 And swifter now it skims the peaceful tide;  
 Whilst two fine tendrils, for the helm design'd,  
 Steer the gay vessel as they shoot behind.  
 And thus the Nautilus will gaily sail  
 O'er the smooth brine, when zephyr breathes the gale.

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\* From 'Miscellaneous Poems,' by J. M'Creery, author of 'The Press.'

# DR. ROBERTSON'S EDUCATION OF THE MYSTERIES OF DANTE.

## Concluded.

From what has been already stated in the preceding articles on this subject, we infer that the Inferno, (hell,) to which Dante feigns to have gone alive, was not the hell of the dead, but that of the living; and that the whole poem is, in fact, an allegory, in which the events of this world are described under a mysterious veil. The noble lady who, in a moral sense, represents, as we have already seen, the divine spirit, is no other than the soul of a man of genius, or the intellectual faculties endowed with love of liberty. *Lucy* is the light of that soul; and *Beatrice* is wisdom, or philosophy. Virgil is amongst those who are suspended, (in limbo,) because his wisdom was that of a being living between hope and fear. By commission of *Beatrice*, he goes in search of Dante, delivers him from the persecution of the she-wolf, and conducts him out of the obscure wood: this signifies, that the new Ghibellinism of Dante, excited by Virgil, or the Philosophy of the Empire, removed him from the party of the Guelphs and their vices. Virgil invites him to travel through the infernal regions, the meaning of which is, that Political Science leads him to meditate upon the disorders of the age in which he lived, agitated by the politics of the Guelphs, *ubi nullus ordo*, because it was only by so doing that he could attain to virtue. 'It would seem that Dante, in the full vigour of his mind, and taught in the useful school of experience and misfortune, enlightened by justice, and feeling that he was wandering far from the path of truth, said, with Isaiah: *Errabimus a via veritatis, et sol justitie illuxit nobis*; that enlightened by the symbolical sun, darted from the high mountains to which his eyes were turned, he exclaimed with David: *Levavi oculos meos ad montes unde venit auxilium mihi*: and that, therefore, at the period of his age which he regards as the midway of mortal life, considering those superstitious times as a real hell, he concluded with Hezekiah: *In dimido dierum meorum vadam ad portas Inferi*. Meditating on the causes which lead to the true hell, he no more intended to feign that he had really gone to the infernal regions, than did Hezekiah when he pronounced those words; but that through political knowledge, in which he was so deeply read, he contemplated the disorders of mankind, with a view to the improvement of his own spirit, and to the instruction of others. Thus, led as it were by sound politics to sound morality, he found the path from which he had gone astray: he came to the knowledge of concealed truth, and reached at last the true way of life, because his contemplations were directed to him who said: *Ego sum VIA, VERITAS et VITA*.'

By the *Dis* of the Inferno, the earthly Florence, governed by the Guelphs, is clearly typified: and this is a confirmation that the



hell of Dante is not the hell of the other world, but of this. The vicious are the dead; the virtuous the living: the former are the Guelphs; the latter the Ghibellines. *Acheron* symbolizes the flood of passions consequent on the corruption of those times; and finally, therefore, the earth and the age in which Dante lived are the subjects of his *Inferno*, and the damned are the vicious of his day.

It is true that the poet meets the souls of persons who were really dead; but if Virgil, Lucy, Beatrix, and Rachel, were but symbols of Dante's invention, in like manner all others who are found in the infernal regions may be symbols of other conceptions existing in his mind. So Cæsar, armed, and with griffin's eyes, was not Julius Cæsar, but Henry of Luxembourg. In these personages Dante symbolizes their popular reputation. The feigning to question their spirits is merely a scrutiny of their characters; and it is with these characters personified that he converses. He says nothing of the dead who left no fame behind them, or of the idle and avaricious; but those whose fame resounds in the world entreat him to revive their memories amongst the living. *Charon* is the symbol of bad example in a corrupted age, stimulating and forcing mankind to side with the vicious. The irresistible necessity which makes the soul eager to pass the river, is the effect of inveterate habit in an evil course of life; and this inveteracy is represented in *Charon*, *hoary white with eld*: he has eyes of *burning coal*, and *encircled with flames*, which are symbols of that eternal fire to which bad example leads mankind. The refusal of *Charon* to pass Dante to the other side of the river, signifies the unwillingness of the poet to follow bad example: and the other havens, from the shores of which *Charon* intimates that Dante is to find the passage proper for him, signify the precepts of Virgil, or the Ghibelline philosophy, by which he shall be led to meditate on the vices of the age. *Minos* is the type of that secret judgment which has its seat in the conscience of men: *Cerberus* is gluttony; *Plutus*, avarice; *Phlegias*, anger. The various torments of the damned souls represent the pains which attend, as a natural consequence, the various vices prevailing in the world we inhabit. The tears which distil from the crevices of the statue of the huge old man of Crete, symbolize the vices which have their respective services in the different ages which that statue represents. From those tears is formed the infernal river, which is by turns called *Acheron*, *Styx*, *Phlegethon*, and *Cocytus*, on the opposite banks of which are punished the souls of the wicked, whose torments increase, as Time, represented in that statue, descends towards the corrupted ages, and as the vices of the world become more and more flagrant.

The progression in Dante's hell is the consequence of his successive meditation, which proceeds gradually and continually from lesser to greater sin; it is a proper distribution of the materials of his political and moral poem; it is the execution, in short, of the

plan sketched in the eleventh canto of his 'Inferno.' The poet has exhibited to our eyes, in his poetical figures, what a philosopher would have described only to our intellect. From mere want of virtue, which he has represented in the idle, he has advanced by degrees to the sin of pride, which he has contemplated in Lucifer, placed in the narrowest and deepest part of his infernal circles, as the basis and origin of every other vice.

'I suppose myself,' says Rossetti, 'to enter into the lofty soul of Dante at the moment in which he conceived his admirable poem. I read there the following thoughts, and read them at the time in which the unhappy man, destitute of subsistence and of home, felt in the highest degree the effects of the vicious age in which he lived: "I will contemplate the sins which I see ruling the present perverse generation. I will represent to the eyes of my insane contemporaries a series of allegories, such as that every one may be attracted to the contemplation of them. In these allegories the vicious shall not only behold their present ills, but those still greater which await them. It may happen that I shall be able to enlighten them, and perhaps the good cause may triumph by these means. If no other advantage arise from my work, I shall at least spread instruction and taste through the barbarity of an ignorant age, and hasten the civilization of my country; so, that while I become useful to others, I shall improve my own mind: and my heart foretells me that everlasting fame will be the recompence of my long labours. Who knows but that the sons of my persecutors may one day curse the memory of their fathers for having so cruelly treated one of their innocent citizens? Who knows but that the ungrateful Florence may one day desire, and desire in vain, my ashes? But if I be doomed to leave them far from my native land, I, as a new Scipio, will direct to be written on the tomb that shall contain them: *Ingrata patria, ne ossa mea quidem habeas: Hic clauditur Dantes patriis extorris ab oris*. To the task, then. But how shall I frame the proposed allegories?'

'O Muse, o alto ingegno, or m'aiutate!'

"In an allegorical hell of the dead, I will represent that of the living—if the vicious can be so called. But no, they are not such: for the righteous alone may be considered as living, since life consists only in right actions. I will consider then as dead all those whose actions are vicious, and will put them—

'In morte dov'è luogo di discordia.'

"But to the end that every one may behold himself in these allegories, it is necessary that I should choose names among the illustrious dead, in whom I may pourtray the living, in order that the vicious of every class may be brought to assemble around them as a centre, and apply what is said to themselves without being sensible of it. So in these famous characters, treated as imaginary spirits,

they will see what they actually are, and what they will be in future, if they do not amend."

'Proceeding in the review of Rossetti's Disquisitions, we are told that the wood signifies, in its allegorical sense, the vicious world, at the time when Dante was a Guelph; and hell, that immense world full of those vices upon which he meditated, after having become a Ghibelline; that Dis is the type of Florence, governed by the Ghibellian party; that the gate of St. Peter, mentioned at the end of the first canto of the *Inferno*, alluded to a gate of Florence, which has the same name, and near which the patrimonial house of Dante was situated; that the angel whom he expects is the Emperor Henry VII.; that in Lucifer is represented the chief of the Guelphian party; and these significations are proved from authorities so abundant, that it is impossible not to feel persuaded that the meaning of the poet is rightly revealed. But these illustrations being new, Rossetti has purposely been superabundant in his illustrations, in order that those who have been accustomed to understand this poem according to former expounders, might be more surely convinced.

This volume contains a fine apology for the secret and violent anger of the Ghibelline poet, who is eloquently justified. To this justification succeeds a very beautiful chapter upon the allegorical language of the *Divina Commedia*, in which, after a few explanations calculated to dispel the darkness which involves it, Rossetti gives us what he calls the skeleton of the first canto of the *Inferno*, in which we have the sense of it, divested of every allegorical veil. This, it appears, he deems almost a profanation of the fame of the Florentine poet, for he apologizes for having dared so much. We confess that this exposition has afforded us great pleasure, and we wish we could see the whole vision explained in the same happy way. Our new commentator touches upon the opinions of some learned men concerning the allegory, alluding to those sparks from which no flame was ever raised. Finally, he gives us a summary of his disquisition on the interpretation of Dante's poem, the materials for which, he truly says, are to be sought for in the other works of the poet. At the end of this volume, the intentions of the author as to the continuation of his work are disclosed; and it then concludes with a paragraph, which we give in the original, in which all who understand this beautiful tongue will delight most to read it:

'Italia mia, dolcissima Italia mia, per averti troppo amata io t'ho perduta; e forse ..... deh tolga l'augurio Iddio! Ma più superbo che dolente di un male per te sol sostenuto, a te solo io seguo a consacrare le mie vigilie: ed altro premio non ne attendo che la mia interna soddisfazione, la quale al sommo se accrescerebbe se tu vi aggiungessi un segno che non ti son discare. Sembra essere pietà del destino che quel doloroso bando, il quale per te vien sofferto, debba avere un qualche compenso; talchè se affligge il cuore, rischiarar ancor l'intelletto. Un esilio angoscioso valse per avventura a più sublimare nel tuo Alighieri quell'anima eccelsa ch'era un bel dono del tuo cielo ridente; ed un esilio

permanente affannoso ed insicurezza, vale l'una ad aguzzar forse il mio poco ingegno sì che penetri in quanto ei lasciò scritto per tua istruzione e per sua gloria. E felici le mie fatiche, se per esse udrò ripetere con più ragione:

Gloria musarum Dantes non cedit Homero,  
Par quoque Virgilio; doctrinā vincit utrumque.

VERGILI.

We close our review of this ingenious and meritorious work, by congratulating its author, who can apply to himself those lines of the Latin philosopher and poet:

Avia Pieridum peragro loca, nullius ante  
Trita solo: juvat integros accedere fontis  
Atque haurire; juvatque novos decerpere flores.

DE BERTH NAT. lib. IV.

### THE KNIGHT'S SONG.

By H. M. Parker, Esq., author of 'The Draught of Immortality,'  
and other Poems.\*

My love's the light, the guiding star,  
That shines upon my way;  
It cheers me through the clouds of war,  
And in the battle day:  
When trumpets peal,  
And squadrons reel  
Amidst the storm of fight,  
Love, love's the charm  
That nerves the arm  
Of a true and constant knight.

My love dwells in her pleasant bower  
By the silvery Garonne,  
As pure and fair as a passion-flower  
That hath by moonlight blown:  
While I afar,  
In fields of war,  
Defend my country's right,  
In love and fame,  
To win the name  
Of a true and gallant knight.

But hark! the martial trumpet calls,  
The voice of battle breathes;  
Honour and Fame for him who falls  
Entwine their glorious wreaths:  
But love's own crown,  
And bright renown,  
Wait him, who from the fight  
Returns to prove  
His faith and love,  
Like a true and valiant knight.

\* From the 'London Weekly Review.'

## COLONIZATION OF AFRICA.

### *Resources of the Country for Colonization—Hints for Emigrants— Comparative Estimate of the Cape of Good Hope with other British Colonies.*

THESE are the heads of a most important and interesting chapter in Mr. Thompson's late volume on Southern Africa, the publication of which we announced to our readers, but were unable at the time to find space for any review of its contents. As the interests of this dependency of England come fairly within the scope of our labours, (and we have given them on all occasions our ready attention,) we think we cannot do better, both towards the colony itself, and to those whose thoughts may have been directed thither as a future place of residence, than by giving the principal portion of the chapter adverted to, a place in our pages.

It is acknowledged by every person who is well acquainted with the circumstances and resources of the Cape colony, that it possesses, within its boundaries, ample means of furnishing a secure and plentiful subsistence to at least five times its present population. It is, no doubt, true, that nearly two-thirds of its entire surface consists of vast ranges of sterile mountains and dreary wastes, which no efforts of human industry can render available for the wants of civilized man, and which refuse even drink and pasturage for the herds of the wandering grazier: it is, therefore, obvious, and admitted by every one, that, throughout a great part of the interior, a dense population can never exist. But the Cape is a country both of very wide extent and of very great diversity of soil and climate; its fertility, in some parts, is not less remarkable than its barrenness in others; and while a large proportion of its available territory is peculiarly adapted for stock-farming, the remainder is equally well suited for agriculture.

It is, moreover, a circumstance of no slight importance for the future prosperity of this settlement, that the tracts adapted by nature for the extensive prosecution of corn husbandry, lie all contiguous to the sea-coast; nor is that coast (as I shall afterwards show) either of such dangerous navigation, or so ill-supplied with harbours and roadsteads as is generally imagined. Yet of this valuable territory, comprising a belt of land, stretching from Hottentot's Holland to the river Keiskamma, scarcely a hundredth part has yet been subjected to the ploughshare. The districts of Swellendam, George, and Uitenhage, were originally parcelled out in cattle-farms of the usual extent of 6000 acres; and on the profits of their live-stock the proprietors still almost exclusively depend; for, except in the vicinity of Cape Town and Algoa Bay, there has been hitherto but

little encouragement for the cultivation of corn beyond the immediate wants of the farmers themselves. This, however, is a state of things which cannot long continue. Within these few years a considerable coasting trade has been established, and which is daily increasing. Within these few months, Algoa Bay and the Kowie have been admitted to the advantages of general commerce. There are other bays and inlets along the southern coast not less accessible, and which, ere long, may possess equal claims to like privileges: but my business is now with the *land* alone, and to that I shall for the present confine my remarks.

Of this valuable belt of sea-coast, exceeding 600 miles in length, it is true that but a small proportion now remains at the disposal of Government; but it is not, on that account, inaccessible to British capital and enterprise. Many of the present proprietors, preferring the ease and independence of stock-farming, would willingly part with their paternal fields to new comers who brought ready money in their pockets, and would migrate with their herds and flocks to seek settlements in the interior. Others, enlightened and excited, by witnessing the results of British industry, would subdivide their too extensive domains, and devote their attention to corn husbandry. And, in this manner, the large tracts, now only partially or unprofitably employed by the Dutch-African boors, would be progressively occupied and improved, and the population of that part of the colony rapidly increased. English capital would carry along with it, or speedily attract, English free-labour, which would be found more pleasant and profitable than the employment of slaves. Fishing towns and villages would spring up by degrees at every bay and embouchure along the coast—where mechanics and artisans would fix their residence—where coasting vessels would come to carry off the surplus produce—and the graziers of the inner country resort for their supplies, in place of encountering (as at present) a tedious journey to Algoa Bay, or Cape Town. Such important improvements will not be the work of a day, even under favourable circumstances—though they *must* take place in the course of time in spite of the most discouraging—but it is obvious that they may be vastly accelerated by the influx of British capital and labour.

I have been now sketching the probable results of a considerable influx of British emigrants into the districts along the southern coast, possessed of sufficient capital to establish themselves without any aid or interference on the part of Government. The success of this important class of settlers, as well as the general interests of the colony, might, however, be very materially promoted by the patronage and aid of government being bestowed in furtherance of some well-devised scheme for directing to South Africa a large, though progressive emigration of labourers, mechanics, and small farmers. Of the encouragement that exists in the colony for these several classes of emigrants, I shall speak separately. The assistance required

from government would be—for labourers and mechanics merely a passage out, either entirely free, or to be repaid from their surplus wages within a specified time—for the small farmers, some facilities to reduce the expense of the passage, and the free allotment of competent locations, in proportion to their funds.

The resources of the colony, for the establishment of this last class of emigrants, though not unlimited, are still considerable. Albany, indeed, may be now considered as entirely occupied; for what of it remains unappropriated, is either of too inferior quality to be worthy of attention, or will fall to be distributed among the present inhabitants. Nor is there, elsewhere, within the *old* limits of the colony, any large extent of useful lands in the hands of government. Almost all that was worth occupation (at least in the opinion of the Dutch colonists) has been already granted away; and, assuredly, it is not my design to recommend the thorny jungle, or the sterile waste, to the acceptance of English farmers. But, eastward of the Great Fish River, there still remains, for those who cannot purchase, the valuable and extensive district ceded by the Caffers in 1819, and which is understood to be held in reserve, by government, for this express purpose.

This is one of the most beautiful and fertile tracts of country in Southern Africa. It is bounded on the west by the Great Fish River, and on the east by the Keiskamma and Chumi. Its upper, or northern, division is intersected by the Kat, the Kounap, the Gola, and other subsidiary streams, which, issuing from the skirts of the cold and cloudy Winterberg, pour upon the grassy plains below an unfailing supply of excellent water. The mountains, which cross the country in an irregular chain from the Caha to the Chumi, are clothed, in many places, with forests of fine timber, fit for every purpose of building, husbandry, or household furniture. The Kat and Kounap Rivers, where they first issue from the mountains, are capable of being led out for irrigation, over a considerable extent of rich alluvial soil, presenting several choice positions for future towns and hamlets, with their gardens, orchards, and corn-fields, upon the same plan as those of Graaff-Reinet, Somerset, and Uitenhage. The mountain glens, up to the very bottom of the Winterberg, are covered with luxuriant pasturage, are well wooded, and sparkling with rivulets, and competent to support a much denser population than the prosperous district of Zwagershoek, described in a preceding part of this work. The plains, extending from the mountains to within twenty miles of the sea, present, indeed, a more arid and uninviting aspect; yet they are, in many places, extremely suitable for the rearing of sheep, and are interspersed with permanent *vleys* and fountains. The verdant and diversified country near the coast, though, perhaps, not quite so favourable for sheep, is covered with abundant herbage salubrious for cattle and horses; while its loose friable soil,

and moist atmosphere, peculiarly adapt it for the cultivation of grain without irrigation.

This ceded territory contains altogether, at a very moderate estimate, upwards of a million of acres, available either for the purposes of agriculture, or for the raising of stock. Nor are its advantages unappreciated by the Colonial Government, or by the older inhabitants. Mr. Barrow states, that even in the time of the old Dutch Government, the frontier boors were with difficulty prevented from taking forcible possession of this tract of country, then occupied by the Caffers and Gonaquas.

In 1820, the acting governor, Sir Rufane Donkin, obtained, by a special convention, the consent of the Caffer king, Gaika, that this territory (previously evacuated by the Caffers), should be allotted to British settlers; and, in virtue of this agreement, a considerable portion of it was surveyed, and the site selected of a projected town on the Kat River, to be called New Edinburgh; with a view to the immediate location of some large parties of emigrants, expected out from the West of Scotland and the Highlands. But the Highlanders were, by some unlucky accident, diverted from this enterprise; and the destruction of the Abeona transport by fire at sea, interposed a more disastrous prohibition to the attempt of the others. This desirable country remains, therefore, still entirely unoccupied; for his Majesty's Government has interdicted, by a positive proviso, its distribution among the frontier boors, and has ordered some, who had been allowed to occupy farms in it, to be recalled across the Fish River.

Should Government not resume its former intention of locating in this district a numerous body of Scotch Highlanders, (a description of people certainly extremely well adapted for its occupation,) it will probably be, ere long, apportioned out to some other class of British emigrants. The selection will, I trust, be made with due care and discrimination. People collected from large towns, or manufacturing districts, however useful in other parts of the colony, would prove very unsuitable settlers for the ceded territory. A hardy, active, and industrious class of men,—accustomed to a country life, and acquainted with the management of cattle,—patient of privations,—persevering under difficulties,—should, if possible, be fixed here; and, with the superintendence of a judicious magistracy, they could not fail to prosper, in spite of the vicinity of the marauding Caffers.

Those tribes are, no doubt, like all barbarians, fickle and fierce, and fond of plunder. But they are, nevertheless, a very different race of men from the ferocious natives of North America. Even in their wars with us, (in which I fear they have been often as much sinned against as sinning,) they have never evinced a blood-thirsty or vindictive spirit; and in their occasional depredations they have almost always spared the herdsmen, when they were not in



danger of pursuit. Their aversion to the wanton shedding of blood, may be well appreciated from the fact, that during the seven years in which the Albany district has been possessed by the English settlers, although there has been frequent skirmishing between the Caffers and the military, and though the thickets of the Zuurveld have often been swarming with their predatory bands, not more than five individuals, out of a population of four thousand, have fallen victims to Caffer hostility. Farther up the frontier, the Scotch party at Bavian's River, though close upon the boundary, have not lost, during the same period, a single hoof by Caffer rapacity : and on the Zwart-Key River, beyond the Winterberg, where the boors and the Tambookie tribe pasture their herds on the same plains, a quarrel has never yet occurred between the Christian and the heathen,—nor has the former ever had occasion to complain of the violence or dishonesty of the latter. On the whole, I see no reason to doubt, that with an orderly and active British population, in possession of the ceded territory, organized for defence under discreet officers, and our frontier policy directed by systematic regulations, at once firm and beneficent, our relations with the Caffer tribes might be hereafter maintained on a footing equally satisfactory to the colonists, and advantageous to them. The pleasing progress of the various missionaries now occupied in the instruction of these tribes, and the increasing demand for European commodities, excited by the regular markets now established for barter with them, cannot fail to assist in promoting this desirable result, and of rendering, perhaps ere long, the eastern frontier as secure as the district of Uitenhage is now,—which, only eight years ago was exposed to continual apprehension and damage from Caffer rapacity.

Exclusive of this frontier territory, there are still some smaller tracts of useful country in possession of Government, which might, perhaps, be advantageously parcelled out to British emigrants with scanty funds. I allude more particularly to some tracts of waste forest land, lying along the Zitzikamma River, which I have not myself visited, but which, as I have been informed by an officer employed in the survey of that part of the colony, are very abundantly supplied with water, and exceedingly well adapted for corn husbandry, and for horticulture of every description. A certain number of small farmers might be located here,—or little townships planted, which might probably form the *nuclei* of future villages. Here, at least, the settler would have neither the wild tribes nor (except the cowardly hyæna) beasts of prey to molest him ; and with abundance of moisture, and a prolific soil, every one able to wield a spade might easily rear vegetables sufficient (whatever were his other resources) to set famine at defiance.

Mr. Burchell, in a pamphlet published in 1819\*, has pointed out

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\* 'Hints on Emigration to the Cape of Good Hope: London, Hatchard.'

a far more remote and very different tract of country to the attention of British emigrants, namely, the territory adjoining to the Cradock and Yellow Rivers, which I traversed in 1823. But although I have little doubt that the boundary of the colony will one day embrace that remote region, I must confess I am far from considering my own countrymen the fittest class of men to colonize it. The immense distance from the coast, and the consequent difficulty and expense of travelling thither,—the want of any accessible market, either for the purchase of necessaries, or the disposal of produce,—the continual annoyances to be apprehended from ravenous wild beasts, (especially lions,) and from wandering savages (especially bushmen),—above all, the excessive drought of the climate, and the general impracticability of irrigation,—form altogether a combination of obstacles, such as scarcely any class of European settlers could be expected successfully to contend with. In my apprehension, the back-country *vee-boors*, or the semi-civilized Griquas, are the only fit colonists for the banks of the Gariep.

The disposable lands within the present boundaries of the Cape colony fit for European farmers, are, it is obvious, limited,—and its capacity for the reception of emigrants is, of course, not indefinite. Space must be allowed, too, for the progressive increase of its present population; and I am far from advocating any farther extension of our eastern frontier. Yet, with all these restrictions, I have no hesitation in asserting, that the Cape still affords ample room for the reception of at least ten thousand additional settlers. I do not mean to affirm, that such a considerable number could be advantageously, or even safely, sent out to the Cape in a single season,—or that any extensive scheme of emigration upon principles similar to that of 1820, would be advisable; but I mean to say, that I consider the colony quite capable of absorbing a progressive influx of five or six hundred emigrants annually for a dozen or fifteen years to come; and that it not only possesses abundant means for their prosperous establishment, but that their enterprise and industry, if properly directed, could not fail to develop, much more rapidly than can be otherwise anticipated, the latent resources of this important settlement.

I have mentioned that the Cape colony possesses, in my opinion, considerable claims to the attention of three different classes of emigrants. I now proceed to specify these several classes more distinctly, and to detail with some minuteness the course which I consider it advisable for them generally to pursue, in order to avoid disappointment, and save much valuable time and money. The facts and calculations which I shall submit for their consideration, whatever may be their practical importance, are at least not dependent upon vague theories, but upon correct data, derived from the experience of sensible farmers, and other intelligent persons long resident in the country.

And first, in addressing my remarks to persons possessed of sufficient capital to become landholders at the Cape on an independent footing, without any aid from Government, I beg to premise that I am far from recommending emigration to any who possess the means of realizing a competent subsistence at home. In all new colonies there are many discomforts, disquietudes, and grievances, of which Englishmen in their own country can have little idea. The Cape, even in its best settled provinces, is not without its share of these; and emigrants, however well provided with funds, will have, especially on their first arrival, a plentiful lot of privations and petty annoyances to encounter. They will find among 'the orange and the almond bowers' of Southern Africa, no Elysian retreat from the every-day troubles of life; and, if they ever indulged golden dreams of there realizing sudden affluence, they will soon find themselves unpleasantly wakened from the absurd delusion.

But to those who, without entertaining such romantic expectations, are desirous of removing themselves and families from the depressing anxieties of unprosperous circumstances, and who are able to carry out with them funds sufficient to purchase and stock a farm in one of the more settled districts, I can conscientiously recommend the Cape as a country where rustic competence may be securely attained without very severe exertion for the present, or harassing anxiety for the future,—where they will enjoy a mild and salubrious climate, with perfect security of life and property,—and where they may comfortably establish themselves by means of a capital more moderate, I apprehend, than would suffice for the same purpose in any other British colony. To persons thus circumstanced and predisposed, the following hints are offered:

Unless the emigrant has a capital exceeding 2,000*l.* sterling, (and not very many who have that amount will probably think of leaving Britain,) I would not advise him to expend any considerable sum in the purchase of stores and utensils. Until he has acquired some practical knowledge of the country, he cannot judge clearly what may be in every respect essential; and such is the diversity of local circumstances, that even an experienced resident, unless he were acquainted with the precise spot where he may ultimately settle, could scarcely furnish him with useful directions. Many of the emigrants of 1820 have had cause deeply to regret the expenditure of large sums upon machinery and implements which they have never been able to use. At the residence of one gentleman in Albany, I saw property of this description stowed up in an outhouse, which had cost upwards of 600*l.* in England, and which he could neither employ profitably, nor yet dispose of without immense loss. Had the sum thus uselessly sunk been expended upon live-stock, in 1820 (Merino sheep, for instance,) it would by this time have more than quadrupled its value.

A few articles for immediate use will, however, be expedient.

Among these ought to be a couple of strong iron ploughs, a winnowing machine, a selection of wire sieves for corn and flour, a small hand corn-mill, iron teeth for harrows, a dozen or two of spades and pickaxes, an assortment of carpenter's tools for rough work, three or four strong bridles and saddles, (the latter adapted for horses of secondary size,) a couple of fowling-pieces, and a few common muskets, &c. &c. These, with a stock of wearing apparel sufficient to last the family for three years, comprise all the luggage with which I would advise emigrants, even of the first class, to incumber themselves; and 100*l.* or 150*l.* thus expended, will, I conceive, be quite sufficient provision for the first three years: additional supplies can always be obtained, either in the colony, or ordered from England, as they may be required.

A couple of steady farm-servants, engaged for a term of three years upon clear and well-defined contracts, and two or three boys about twelve years of age, (obtained perhaps from a poor-house,) and regularly indentured for seven years, ought to form part of the settler's establishment. A greater number might perhaps be used fully employed, but the tendency to dissatisfaction is so great, wherever a considerable number of English servants are engaged together on long contracts, that the annoyance would probably more than counterbalance the benefit; and the master had better trust to the resources of the colony for additional labour, (limited as these resources are,) than expend a large sum on bringing out a numerous retinue to torment his life with extravagant claims and eternal grumbings.

In all colonies where the price of labour is exorbitant, white servants are apt to become saucy and unreasonable. In America and New South Wales, matters in this respect are fully as bad as at the Cape—in Van Diemen's Land, I believe, much worse. This circumstance forms, in fact, one of the chief inconveniences and obstructions to new settlers in all these countries, of which every book of travels furnishes abundant illustrations. At the Cape, however, the Hottentot population affords an important resource. These natives are not indeed well adapted for regular heavy labour, nor are they likely to do well with hasty or capricious masters; but they form good herdsmen and waggon-drivers; and, when judiciously treated, generally prove useful and obedient dependents.

For the sake of domestic comfort, especially where there are children, one or two active English maid-servants would be very desirable; but if young and good-looking, it is more than probable that marriage would very speedily cancel all previous engagements. The old or the ugly are the most convenient housemaids to carry to new colonies. Except in Cape Town, an unmarried woman above twenty-five years of age is an anomaly almost unknown.

His preliminary preparations being made, the emigrant should, if possible, secure a passage direct to Algon Bay, in preference to Cape Town, unless he means to establish himself within a moderate distance of the latter, which would require, however, a more considerable capital than I have taken into account. Cape Town is comparatively an expensive place, and would consume in a few weeks a sum of money which would be of no slight importance in the stocking of an African farm; while, on the other hand, by proceeding at once to Uitenhage, he could maintain his family in that village, or its vicinity, at a very moderate rate, until he had leisure to look about for such an estate as suited his circumstances. At Uitenhage, house-rent is moderate, vegetables are abundant, good beef is sold for 1*d.* per lb., and mutton for 1½*d.* Several genteel English families are already settled there; and should it become the capital of the eastern districts, the population must rapidly increase. There the emigrant, should he not immediately find a farm that pleased him, might very agreeably, and not altogether unprofitably, reside even for some months. He ought not to be too hasty in purchasing a place; but should make careful inquiries in regard to the capabilities of such farms as are advertised for sale; for the value of lands in South Africa depends much more upon local circumstances, than upon extent or external appearances.

I shall conclude this chapter with an extract from the pamphlet (already quoted) of my friend, Mr. Pringle, which being written only for a temporary purpose, is, I believe, already out of print; and the author's opinions will, probably, not be considered unimportant on the present subject, when it is mentioned that he was the leader of the Scotch party, located at Bavian's River, the most successful, perhaps, of all the settlers of 1820, and is intimately acquainted with the general situation of the Cape Colonists, and the whole circumstances of the emigration:

'With all the defects of this country and climate, I am fully satisfied that, in ordinary times, it is not a worse, but perhaps a better land to live in than any other British colony. And however startling this opinion may appear, after all that has recently occurred in Albany, I believe a hasty comparison will discover it to be not so very preposterous as many persons may at this moment be apt to imagine; for the fluctuating tide of public opinion appears to be now turned as unreasonably against, as it was formerly extravagantly in favour of, South Africa. True, the Cape is exposed to droughts, rust, storms of hail, excessive rains, diseases in cattle, marauding Caffers, Bushmen, beasts of prey, serpents, and so forth: but, after a pretty intimate experience of all these annoyances, I am convinced that they are not worse than others of a similar or analogous description, which prevail more or less in all new colonies.'

## THE OLDEN TIME.

## No. III.

*On the Tomb of Moses.\**

At p. 182 of the 'Travels in Palestine and the Countries East of the Jordan,' it is mentioned, under the date of Jan. 18, 1815, that 'Mr. Bankes returned from an excursion to the Jordan and the Dead Sea, where he had been accompanied by a crowd of Greek pilgrims. They had passed a night at a Mohammedan mosque, called *Mesjed el Nebbe Moosa*, from an idea prevalent among the people of the country that here was the tomb of Moses.'

John Hales, I remember, somewhere says, of church authority, that 'it is nought;' and after reading the *Appendix* to the 'Travels among the Arab Tribes,' and since observing the facts ascertained, by unimpeachable testimony, on a late trial, I am in some danger of thus regarding the authority on which the above relation appears to depend. Yet some among the 'crowd of Greek pilgrims' might return to testify what they had seen, or, in a case where the temptation from vanity, or a worse passion, little appears, I venture to credit, *quoad hoc*, even the late member for the University of Cambridge, a distinction, of which, for the honour of the learned Institute, I trust that traveller will never be deprived. I venture, then, to assume that the dwellers beside the Jordan still cherish the memory of the illustrious Hebrew lawgiver, and indulge the belief that they are in possession of his tomb.

It continued, however, through numerous ages, the unhesitating belief of Jews and Christians, that the tomb of Moses could not be discovered. Before I examine the foundation of this opinion, give me leave to bring before your readers the pretensions to this discovery in the seventeenth century, as disclosed in the 'true and exact relation;' which will be found to have gained some credit in that age, an age certainly not the most remarkable for incredulity.

After a short address from the 'stationer to the reader,' in behalf of this anonymous relater, declaring it 'absurd to doubt of the subject matter of the discourse,' we are told that 'in October 1655, certain Maronite Christians, keeping herds of goats upon Mount Nebo, otherwise called the mountain Abarim,' remarked that some of

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A True and Exact Relation of the strange finding out of Moses his Tombe, in a valley neare unto Mount Nebo, in Palestina. With divers remarkable occurrences that happened thereupon, and the severall judgements of many learned men concerning the same, communicated by a person of quality residing in Constantinople, to a person of honour here in England, and by him permitted to be published, for the satisfaction of the ingenious.—London: Printed by J. G. for Richard Lowndes, at the White Lion in St. Paul's Church-yard, 1657, 12mo. pp. 39.'

their goats strayed unaccountably, and on their return their 'hair did yield a most odoriferous scent.' The goatherds at length discover a cave, to which their goats had wandered; on 'putting in their heads,' they are also scented, 'their staves likewise participating of the perfumes.' They enter the cave, where at length 'they discover a material which seemed to be a tombstone.'

In the sequel, 'the Patriarch of the Maronites, on the report of the goatherds, sends 'two priests, who were his chaplains, who seriously viewing the inscription, which was in the Hebrew character and Hebrew language, they found it to be in effect, 'Moses the servant of God.' These chaplains became 'almost venerable' for 'the odoriferous scent which proceeded from their garments, which gave a sweeter savour than all the spices of India, or gums of Arabia could do.' As a consequence, 'men of all religions, with amazement began to take notice of this miraculous invention, far exceeding in their judgment that of the Holy Cross, and some of every sort of them, having first viewed the place, did earnestly endeavour how they might convert it most to their own profit.'

'The Maronites, as the first inventors, petitioned *Morat*, the Bashaw of Damascus, that they might have the keeping of this holy place. But they being poor, although they had justice on their side, yet not being able to bribe the Christians, the Greek and Armenian Church stepped in, and offered great present sums and yearly salaries for the keeping of it.' Next, 'the Friars, Minors of the order of St. Francis, who reside at Jerusalem, for the entertainment of the western pilgrims, offered very largely that they might have it.' Then 'the Jews' tempted the 'Mufty and Vizier's Bashaw' with larger offers, till 'suddenly and unlooked for, the French Jesuits (who have their college at Constantinople) interposed;' and, in conclusion, *Morat, Bashaw of Damascus*, had expresse order brought him by a *Chiaus*, from the Port of the Grand Signor, to see that the cave of the sepulchre should be stopped up, and that none, upon pain of death, should approach within certain miles thereof. In pursuance of which order, *Morat Bashaw* commanded forthwith the Sanzjacks of *Jerusalem* and of *Saphetta* to see it performed with diligence, who, in obedience to the firman sent by the Grand Signor, did execute it accordingly.'

'The Jesuits are next represented as attempting 'to steal away the body of Moses; and to carry it into France.' For this purpose they offer 'a good reward of Dutch dollars' to some, 'who are called *Druses*, the remainder of those Frenchmen brought in by *Godfrey of Bulloigne*.' These had lost their Christian religion, without becoming good Mohammedans, 'eating swine's flesh,' and thus, 'odious to the Turks,' by whom they were named 'Rapliss, that is, Infidels.'

By the contrivances of these Druses, the Jesuits, having deceived the Turkish guards, make their way into the cave. 'Then, as men

pleased and overjoyed, not only with the more than aromatic perfumes, which issued out of it, but also with the desire of seeing so sacred a spectacle, falling upon their knees with great devotion, with all the eyes and light they had, began to pry and spy into this sacred monument. But after they had looked it over and over ten times for failing, and put in their hands to search more nearly the bottom, they found in it just nothing.'

Thus disappointed, or, as my author says, 'much in their dumps for the loss of their labour,' the Jesuits consulted 'how they might convey the tomb into France,' and 'they thought of breaking it in pieces,' and of conveying it 'piece-meal that way.' At this moment there was 'a hideous noise of horses and arms,' and 'two bold Shahees entered the cave.' In the sequel, the Jesuits are 'sent to the gallyes at Tripoly, in which, as slaves at the oar, they were to be conveyed to Constantinople, there to receive such further punishment as the Grand Signor should appoint,' while 'the Druses were condemned to the galleys for 120 years.'

There was then 'great question among the learned what was become of the body of Moses. Some divines said, it was there where it pleased God, which satisfied the question as little as if they had said nothing.' At length, after arguings from *Rabbi David Kimche*, *Rabbi Salomon Ben Jack*, and *St. Jude's Epistle*, 'a book' was discovered 'written by one Jeconius Ben-Gad, a learned Rabbi, dwelling at Saphetta, wherein he did maintain, that this tomb was not the tomb of Moses, who delivered Israel, but of another Moses, famous for his piety, who lived many hundred years after him.'

The first notice of this story, which came in my way, was the following paragraph, by Cotton Mather, in 1644. It is the beginning of his introduction to the Life of Eliot, called the Apostle of the Indians, whom he was disposed to consider, and not without some plausibility, as the Moses of America; he justly adds, 'it is not the grave, but the life of such a Moses, that we value ourselves upon being the owners of.' He had premised the following narrative:—

'It was a very surprising, as well as an undoubted accident, which happened within the memory of millions yet alive, when certain shepherds upon Mount Nebo, following part of their straggling flock, at length came to a valley, the prodigious depths and rocks whereof rendered it almost inaccessible; in which there was a cave of inexpressible sweetness, and in that cave was a sepulchre, that had very difficult characters upon it. The patriarchs of the Maronites, thereabouts inhabiting, procured some learned persons to take notice, and make report of this curiosity, who found the inscription of the grave-stone to be, in the Hebrew language and letter, *Moses, the servant of the Lord*.

The Jews, the Greeks, and the Roman Catholics, thereabouts, were altogether by the ears for the possession of this rarity; but the Turks as quickly laid claim unto it, and strongly guarded it.



Nevertheless, the Jesuits found a way, by tricks and bribes, to engage the Turkish guards into a conspiracy with them, for the transporting of the enclosed and renowned ashes into Europe. But, when they opened the grave, there was no body, nor so much as a relic there.

'While they were under the confusion of this disappointment, a Turkish general came upon them, and cut them all to pieces; therewithal taking a course never to have that place visited any more. But the scholars of the Orient presently made this a theme, which they talked and wrote much upon; and whether this was the true sepulchre of Moses, was a question upon which many books were published.'

Of these 'many books,' which probably contained not a few examples of learned credulity, and, perhaps, a little critical inquiry, a sort of Rowleyan controversy, I have not been able to discover any account. The anonymous author of the 'True and Exact Relation,' is said by Wood to have been Thomas Chaloner, a member of the Long Parliament, for Richmond, in Yorkshire, and for Scarborough, in the Parliament of Richard Cromwell. Having signed the warrant for the king's execution, he fled from the vengeance of the restored Stuart to Middleburgh, where he died in 1661. Wood thus unhesitatingly ascribes to him the whole invention of the story.

'This book, at its first appearance, made a great noise, and puzzled the Presbyterian Rabbies for a time. At length the author thereof being known, and his story found to be a mere sham, the book became ridiculous.' (*Athen. Oxon.* 1692, ii. 175.)

As to the supposed divine concealment of the body of Moses, an opinion long implicitly received by Jews and Christians, some of the latter, justly ranked among the most learned investigators of scriptural phraseology, have shown that there is no sufficient authority for such an explanation of the closing words of Deuteronomy, which describe the death and burial of the Hebrew legislator.

The anonymous author of 'A Critical and Practical Exposition of the Pentateuch,' (1748,) in which good sense and learning are happily applied to the elucidation of those ancient books, has shown, (after *Bibliothèque Raisonnée*, tom. xxxi,) from the structure of the Hebrew language, and the phraseology employed in other places, that the words translated *the Lord buried him*, 'might be much better rendered, *he was buried*.' As to the expression, *no man knoweth of his sepulchre*, the expositor remarks, 'that this passage is an addition to the Book of Deuteronomy, probably written several hundred years after the death of Moses.' Thus 'we may take the words in this simple meaning, that time, which brings all things to decay, had left no footsteps of Moses's monument, or had worn out the remembrance of the place where his body was laid. That learned clergyman, Dr. Wall, (quoted p. 306.) says, on the conclusion of Deuteronomy: 'Some Jews, contrary to plain sense, and some Christians, will have it that even this last chapter was written

by Moses himself.' He adds, and the remark may be fairly extended far beyond the passage in question: 'They do great hurt to religion, who go about to tack unnecessary difficulties of believing, and even gross absurdities of reason, to the faith.'

The contest between Michael and the devil for the body of Moses (*Jude ix.*), has, of course, been brought into this question. In the first edition (1746) of 'Critical Observations on Shakspeare, by John Upton, Prebendary of Rochester,' is a note, (p. 29,) (omitted, with several other morsels of scriptural criticism, in later editions,) explaining a few difficult passages of the New Testament. On the text in *Jude*, this learned Christian critic, who is opposing the argument *ab abusu ad usum*, which he imputes to Prynne and 'whole tribe of Puritans,' says:

'Tis well known the Jews had many dramatic pieces among them, (though not perhaps designed for the stage,) taken from stories out of their own chronicles; such seems the book of Job. To me it appears almost evident that St. Jude alludes to a kind of dramatic poem where Michael and the devil were introduced, disputing about the burial of Moses. The story might be taken from some old Rabbinical comment upon the last chapter of Deuteronomy, and the subject might be, *the death of Moses.*'

This story of the strife between the infernal and the celestial Hierarch, drew from Archbishop Tillotson, in his sermon 'on evil-speaking,' the happy remark, that 'the Archangel was afraid the devil would have been too hard for him at railing.' I cannot better conclude the subject, than by the following note upon the passage in Le Clerc's *Nouv. Test.* (1703.) 'Il y avoit de ce tems-là un livre intitulé *L'Assomption de Moïse*; où Michel l'Archange et le Diable étoient introduits disputans touchant le corps de Moïse; où l'Archange faisoit sa réponse que l'on voit ici. Comme les Juifs et peut-être les Imposteurs, dont il est parlé ici, faisoient beaucoup de cas de ce livre, les Apôtres,' (referring also to 2 Pet. ii. 11.) 'les réfutent par leur propres principes.'

According to this learned Bibliocist, the reference to a story in the Jews' books, is no adoption of the legend. It is a reasoning with opponents on their own principles, a mere *argumentum ad hominem*. This mode of argument has been freely taken for granted on other questions of human interest; while it has been too often disallowed by sincere and not unlearned Christians, in their attempts to explain the phraseology of the Bible. Thus, they have unconsciously retarded that progress of Christianity, which is ascertained, not by increasing multitudes of nominal believers in 'a parliamentary God,' as an eminent nobleman once expressed himself, Christians by the accident of birth, but by her influence to enlighten the understandings, and to rule over the affections, of mankind; the only thing worthy of a religion designed, and eminently calculated, to advance the divine glory, by promoting 'peace on earth, and good-will among men.'

SENILIUS.

## SYMPATHY.—A SKETCH.

Her cheek was pale with languor, and her brow  
 Relax'd, had lost its arch,—her eye, its beam,—  
 Her features the soft play—almost the line  
 Of beauty's envied grace: or but retain'd  
 The semblance of a beauty that *had been*,  
 And with the blight of sickness or of care  
 Was fading in its prime. I look'd on her  
 With that sad sympathy which thinks of joys  
 Remember'd as a dream, from whose bright hues  
 The unwelcome dawn recalls the illusive sense  
 To dim realities: so faint remain'd  
 The traces of the beauty that *had beam'd*  
 When health and buoyant youth, more warmly touch'd  
 By the first impulse of the awaken'd heart,  
 In their fresh roses bloom'd.

But there came one  
 Unlook'd for—absent long,—in her heart's heart  
 Recorded with the dearest of the dear—  
 The playmate of her infancy!—She came  
 Unheralded, and on our circle broke  
 Like sudden sunbeams on a wintry day,  
 When the chill'd earth is hopeless. Then the scene  
 Was changed at once to gladness: heart met heart,  
 And eyes o'erflow'd, as with a spring-tide shower,  
 Amid the warm embrace.

I look'd again  
 On her my heart with a sad sympathy  
 So late had gazed on; and the spirit of love  
 Came dancing with a May-spring to my eyes.  
 The cheek, but erst so pale, was pale no more;  
 The brow, again, was as the vernal bow  
 Gladdening the heavens; her eye-beam as the ray  
 Of vernal dawn, when Zephyr woos the rose  
 That to his breath expands. Each feature beam'd,  
 And all the lines of beauty stood confess'd,  
 As when my heart first own'd them. Such the power  
 Of Sympathy in souls by Nature's touch  
 Attuned to her fine harmonies.

O charm  
 Above all charms!—O spirit of inborn worth!  
 Germ of all sweets! instinctive loveliness!  
 That with thine emanations dost inform  
 Complexion, motion, feature! kindling all  
 To grace of finer ecstasy, that else  
 (Though shaped in Nature's happiest lineaments)  
 Were cold and lifeless as the marble form  
 That lacks the finishing of the master hand.  
 Oh, Sympathy! attuner of the spheres!  
 'Tis on thy steps the Loves and Graces wait,  
 And more than Paphos radiates in thy smile.

### PRODUCTIVE AND COMMERCIAL RESOURCES OF FRANCE.\*

At the last sitting of the Academy of Sciences, M. Dupin read an extract from a work about to be published by him, on the productive and commercial resources of France. The part which he communicated to the *Institute* presents his estimate of the power in men and animals, and of the inanimate means which agriculture, industry, and commerce, employ in France and Great Britain. From this memoir we make the following extract :

' We will assume,' says M. Dupin, ' that from the age of 12 to that of 17 years, the available strength of a youth is equal to half that of a full grown man. We assume the same with regard to men between the age of 54 and 60 years. We suppose further, that from the age of 17 to 54 years, men preserve their physical strength entire; although, in fact, it diminishes during the last fourteen years of this term; but as we take no account of the productive strength of those who have passed the age of 60, without being yet infirm, this will act as an equivalent set-off.

' If there existed an accurate census of the male population, giving the number of men who had attained the respective ages of 12, of 17, of 54, and of 60 years, we should arrive, by the simple process of subtraction, at the number of youth between 12 and 17, of men between 17 and 54, and of those, on the decline, between 54 and 60. For want of such a census we shall avail ourselves of the tables of population, published by the members of the French *Bureau de Longitude*.

' By these tables it appears, that in ten millions of individuals of the two sexes, there are :

' From 12 to 17 years....	923,297	$\div \frac{1}{2} =$	461,648
17 to 54 ..	5,236,258	.....	5,236,258
54 to 60 ....	510,566	$\div \frac{1}{2} =$	255,283

' Total 5,953,189

' This total force then gives us the labour of 5,953,189 grown persons of the two sexes, in ten millions of souls. Whence it follows, that in a population of 31,600,000 souls, we shall have 18,812,077 effective labourers of the two sexes.

' The number of male births surpasses those of females in a ratio of pretty nearly  $4\frac{1}{2}$  per cent; but the male children die in greater proportion in infancy; whence we may conclude, without danger of falling into any great error, that the number of females of mature age equals that of the males. According to this hypothesis, if we take the half of 18,812,077 we shall have 9,406,038 for the number of women-labourers between the ages of 12 and 60 years, and if from those we deduct 1,500,000 for extraordinary losses, to be allowed for thirty years of war and revolution, there will remain 7,906,038 males capable of labour. The effective force of the French population may be estimated, therefore, at..... 7,906,038 males  
For the women, the half of ..... 9,406,038 = 4,703,019

' Total 12,609,057

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\* Translated from 'The Globe,' a political and literary journal, published at Paris, 7th of July, 1827.

' The result of which is, that in the present state of society the force of the 31,600,000 inhabitants, which at this day form the population of France, is equivalent to that of 12,609,057 male individuals, in full vigour of life.

' We should be far, however, from the true result, were we to infer that the whole of this force is substantially and effectively employed. A great number, possessing realized property, live by the labour of others. Many individuals, from infirmity or from indolence, subsist by public charity, doing very little work, and even stagnating in total idleness. But, as we are here seeking the totality of the disposable force, we regard it, as represented with sufficient exactitude by the number given.

' If we possessed a well detailed census of the population, we should know what portion of this force of 12,609,057 persons capable of effective labour is applied to agriculture, and what to manufacturing and commercial industry. But on this point we have only approximative data, and with these we must remain satisfied until a new enumeration shall furnish us with positive information. It is admitted generally, that in France two-thirds of the population are occupied in agriculture, and one-third only in manufacturing and commercial industry. Adopting this hypothesis, we shall proceed on the calculation that France possesses an agricultural force in men equivalent to that of (labourers) . . . . 8,406,038 And in manufacturing and commercial force to that of . . . . 4,203,019

Total 12,609,057

' Had not human industry discovered the secret of employing means foreign to itself, it would depend on the above enumerated force only; but we proceed to take a view of the extensive aids which this industry has contrived to borrow from the strength of animals and of inanimate objects. To aid him in his labours man employs principally the strength of the horse—that of the ass and of the mule—that of the ox and the cow.

' It will easily be imagined, that if we have not in France an accurate and detailed census of the human population, we have still less perfect estimates of the amount of the animal creation. At certain epochs, however, calculations more or less exact have been made of this last kind of population. We shall adopt some recent results communicated to us at the office of the Minister of the Interior. In order to compare the collective animal force with that of man, we must find out what in the labour which a given number of men and animals can do.

' To purposes of agriculture the average power of the full-grown horse is calculated as equal to that of seven men. The power of the ox, according to the same calculation, is equivalent to that of four men; but the power of cows is at a much less rate. In many provinces of France they are used only for the purposes of propagation, and of supplying milk. Lastly, a great number of oxen are kept continually for grazing, and should not therefore be received into the account. For these reasons we shall value the power of an individual of the ox race at that of 2½ men.

' The continued work of an ass, either in bearing or drawing, much exceeds what a man can do; but, as in the enumeration of asses, those which have not attained the age for labour are not specified, we shall calculate the average force of an ass as that of a man.

' From these approximative data we may present the following table:

*' Animate Agricultural Force of France.*

Human race	21,056,667	equivalent to	8,406,037	effective workmen.
Horses	1,600,000		11,200,000	
Oxen and cows	6,973,000		17,432,500	
Asses	240,000		240,000	

**' Total 37,278,537.**

' This amount shows, that in the total of the agricultural strength of France, the human race enters for little more than a fifth. Man has, therefore, continued to increase five-fold the force he could employ in works of agriculture. When we come to offer similar calculations on the British population, we shall find that the agriculture of Great Britain has made much more considerable augmentations to its force. But we will not anticipate these comparisons.

' It is calculated that France contains 46,000,000 hectares of land, brought into profit by animate force, equivalent to that of 37,278,537 effective labouring men, thus giving 810 men for every 1000 hectares.

' Let us now attempt to make similar calculations on the agricultural force of Great Britain. In stating at 15,000,000 the number of inhabitants of Great Britain and Scotland, if we apply to it the same rules as that used with regard to the French population, we shall deduce from this number a result of 6,697,339 effective labouring men. But it must be added, that the proportionate loss in men sustained by the English in the course of the late wars was much less considerable than ours. Having assumed that this loss amounted to 1,500,000 men for France, in a population more than double that of England, then had the English sustained a loss of men equal to ours, their total of effective men for labour would be 712,000 less than that given. Putting at 400,000 the number of effective men capable of labour which they have lost directly by battle, and at 300,000 the number of those who might be still living, if they had not sunk under the duties of the army and navy, the result will be, that we must assign to Great Britain only 6,397,339 effective labourers. Of this number a third is employed in agriculture, the other two-thirds in manufacturing or commercial industry. For Great Britain, therefore, must be counted 2,131,446 agriculturists, and 4,264,893 workmen of other callings, including also the idle and the paupers. Adopting for Great Britain the same relative calculations as for France, in order to find a comparative estimate of the human and animal force employed in agriculture, we shall have—

' Of the human race	5,000,000	equivalent to	2,132,446	effective labourers.
Full grown horses	1,250,000		8,250,000	
Oxen and cows	5,500,000		13,250,000	

**' Total force applicable to agriculture 24,632,446**

' The proportion, therefore, of this total force thus applied to agriculture, to that of the human race, is as twelve to one. Consequently the agriculturists of Great Britain, by the use they make of domestic animals, have contrived to create a force twelve times that of their own corporal power.

' It is calculated that the total number of hectares of land in Great Britain is 21,643,000. Thus, for 1000 hectares, Great Britain employs an animate force equal to that of 1138 labourers. This we see is much greater than with us, since the result before given for France was 878 labourers to 1000 hectares.

'If the English obtain a greater produce from their land, it is because they employ in its cultivation a greater productive force. It is to be lamented that the data for Ireland are not so precise as those for Great Britain. The actual population of Ireland somewhat exceeds the fifth of that of France. But as industry there is in a less advanced state, we will suppose that the total of the force applied to agriculture in Ireland is simply the fifth of the analogous force in France. Whence we shall have—

*'Agricultural Force of the three Kingdoms.*

'Great Britain 24,632,446 effective labourers.

'Ireland 7,455,701

'Total 32,088, 147'

The sequel in a future Number.

### WAR SONG.

THE ADVANCE OF THE ARABS AGAINST THE EMPEROR HERACLIUS.

THE dust is rising, like a cloud,  
And yet no gale has past;  
It hovers now a mighty shroud,  
And hark! a trumpet blast!  
And surge on surge the lances glow,  
Like a war-deluge's o'erflow.

They come, they come, the Desert sons!

The trammers of the shield,

Their track is white with warrior's bones,

Now, Roman! fly or yield.

Fling but a spear, thy recreant blood

Shall be the dog and raven's food.

Whence come they? From the Sun's own land,

That gives them all its fire;

Their's are the red, resistless hand—

The Fleet that never tire;

Whirl'd in their grasp, the scymitar,

Is deadly as a shooting star.

Fly, Roman, fly—to stand were death—

Go chain the thunder storm;

Go brave the Simoom's burning death,

That blasts thee—haughty worm.

Go drain the ocean with thy farge,

Then shalt thou stand the Arab's charge!

Now, Roman, count the desert sands—

Now, count the ocean waves;

Then count yon thousand, thousand bands,

Then fight—predestined slaves!

As well to your faint eye were given

To count the midnight hosts of Heaven.

Look on the crimson flag that swings,

A meteor o'er that cloud;

Its dye was in the blood of kings;

Now proudest of the proud!

Heraclius it shall drip with thine,

Last king of thy devoted line!

POLLIO.

## LETTERS FROM ABROAD.

## No. I.

*The Mediterranean—Greece—Egypt—the Pyramids, and  
Elysian Fields.*

MY DEAR FRIEND,

Grand Cairo, Oct. 21.

THE promise which you solicited from me before we parted, has not yet been fulfilled. When you told me I was about to visit a sea, the very shores of which were sacred, and every rock hallowed by classic recollections,—when the enthusiasm inspired by your early reading of the histories of Greece and Egypt, induced a desire to have your knowledge of these countries improved by communications from the spot, I readily undertook the task, in the hope that it would serve to renew again the intellectual pleasures we had before so often shared together. As, therefore, the revival of these agreeable interchanges of thought and feeling is congenial with my warmest wishes, and as their loss or interruption would cause a painful void in my enjoyments: so in desiring me to form, by correspondence, a series of links which would tend to strengthen the chain of our friendship during absence, and preserve it for ever unbroken, you impose upon me a duty which it will always give me the greatest gratification to perform.

And yet, say you, after all this acknowledgment, the promised duty remains still unfulfilled. Suffer me, then, my friend, to tell you why. When, after bidding a long farewell to those white cliffs, to which I had so often returned from foreign shores with joy, the blue ridge of Iberian hills announced our increasing distance from the home we all regretted; when the golden-sanded floods of Lusitania's river detained us for a moment, and received a portion of our squadron, charged with the richest freight, to enrich the luxurious capital of a luxurious clime, and pour the wealth of Thames into the Tagus; or when crossing the memorable bay of Trafalgar, the Pillars of Hercules greeted our approach toward a friendly port, and Calpe and Abyla first saw our anchors grounded and our canvass furled;—every object by which I was surrounded might have furnished me an interesting theme for correspondence, but one idea only held possession of my mind, and, like the serpent-rod of Aaron, swallowed up the rest. Advancing nearer to our destined haven, the chilling hand of death seemed laid upon me, and in the prospect of approaching dissolution, Sicily, Rome, and Carthage, though each immortalized by their exploits upon the very sea on which I navigated, lost for a moment all their power to interest, and yielded to other and more painful associations.

The island of Calypso next detained me in her port; but not, alas! with pleasures: nor even had the goddess and her nymphs been



there, should I have wanted a Mentor to have warned me. The filial duty of Telemachus might have been relaxed by charms and luxuries so powerful in union; but the stronger passion which possessed me, and which absence had not yet diminished, was proof against every possible allurement.

The scattered islets of the Grecian Archipelago soon after received our vessel, amid the labyrinths of their winding channels, and then, indeed, a new world was opened to me. Yet even here, while the Olympus of the Cretan Jove—the cradle of the Cytherean Venus—the birth-place of Latona's twins—the floating Delos, with its sacred groves—Colonna, with the ruins of Minerva's fane—the caverned mountain of the Samian sage—the fertile Chios, nurse of Troy's blind Bard—and the impassioned Sappho's Lesbian Isle—all presented subjects of the deepest interest, I was still unable to prepare for you the communications I had promised; and had the pain to be oppressed by the weight of my own feelings, without the means or the power to impart them to others.

At Smyrna, too, while the channel of the Meles remained to be traced, I could never want a subject of interesting research, and a topic of agreeable correspondence, which I might indeed have dictated upon the banks of the very stream in which the sweetest mourner of Adonis laved his infant limbs, while singing on the verdant spot the plaintive verse of Moschus.

'Mourn, Dorian stream, departed Bion mourn;  
Pour the hoarse murmur from the pallid urn!  
Sigh, groves and lawns! ye plants in sorrow wave:  
Ye flowers breathe sickly sweets o'er Bion's grave!'

IDYL, 3.

But I had scarcely began, while here, to think of commencing a correspondence in which I should have entered with so much pleasure, before my duty called me to another quarter; and after traversing the Grecian Archipelago a second time, landed me at length upon the burning shores of Egypt.

Here, surrounded by a crowd of objects completely new to me, treading the ruins of a city once the mistress of the world, and bewildered by the wonders which the history and remains of this celebrated country presented to me, the multiplicity of my sensations served only to embarrass me, and I could never conquer the difficulties which arose when I attempted a selection of such topics as I conceived might interest you most.

Since that period, however, I have ascended the Nile thus far, at least, and made some stay in this motley peopled capital, where the turbulence of my ideas have gradually subsided as the novelty of every thing that occasioned it progressively wore away. From hence also I am about to depart for a long and weary journey to the 'farther East'; but, to leave no longer unfulfilled a duty hitherto

neglected, I arrest myself for a moment to say something to you of my visit to the pyramids of Memphis, monuments deservedly classed among the wonders of the world, whether one considers their antiquity, situation, or enormity of size and solidity of construction; and if in so doing I become the author of a moment's pleasure to yourself, the fatigues of the excursion will be amply repaid.

I should first inform you that my voyage thus far upon the Nile was during the season of its inundation, which commences in June, and continues until September, when it reaches its extreme height, and is most favourable for navigation. This sole phenomenon, the wonder of the earliest ages, and the admiration of the present, is one on which I might expatiate at length; but on which so much has already been said and written, that you will find in the works of the various Egyptian travellers, so well known to you, the most minute details regarding it. Its secret sources, and the causes of its annual floods, were deemed objects of discovery and research worthy the ambition of the most powerful monarchs of antiquity; and it is a singular fact, that not only were the armies of the ancients, expressly directed to that sole end, unsuccessful in their expeditions, but that all the enterprises of the moderns, undertaken with the same view, have hitherto as effectually failed; and while a new world has been explored in the western hemisphere, and its geography brought to a perfection scarcely inferior to that of Europe, the real fountains of the Nile are still unknown, and the interior of that quarter of the globe in which they take their rise, though the scene of the earliest events which history records, remains still almost a blank within the mere boundaries of its maritime coasts.

After the interesting details which you will find in Pococke, Norden, Niebuhr, Volney, Savary, and others, on the subject of the inundation, you will be delighted by the poetical descriptions of Lucan, in the tenth Book of his *Pharsalla*, where, after the arrival of Caesar in Egypt, and the reconciliation of Ptolemy and Cleopatra, he paints the magnificence and luxury with which he was entertained by that voluptuous queen in the royal palace at Alexandria, and introduces an interesting conversation between the Roman conqueror and the venerable old priest, Achoreus, who enters into a detail as interesting from the light it throws on the opinions of that age, as it is valuable for its poetical beauty. In short, there is scarcely a bard of Greece or Rome who has not interwoven so fertile and renowned a subject with his verse; nor have the moderns who retained a tincture of their classic studies, been less copious in their allusions to the most celebrated stream of history, fable, or religion, from the divine Tasso, in his '*Gerusalemme Liberata*,' to our sweet poet of the '*Seasons*,' the majesty of whose verse is suited to the theme:

‘ The treasures these, hid from the bounded search  
Of ancient knowledge; whence with annual pomp,

Rich king of floods, o'erflows the swelling Nile;  
 From his two springs, in Gojam's sunny realm,  
 Pure welling out, he, through the lucid lake  
 Of fair Dambea, rolls his infant stream.  
 There, by the Naiads nursed, he sports away  
 His playful youth amid the fragrant isles  
 That with unfading verdure smile around;  
 Ambitious, thence the manly river breaks,  
 And gathering many a flood, and copious fed  
 With all the mellowed treasures of the sky,  
 Winds in progressive majesty along:  
 Through splendid kingdoms now devolves his maze,  
 Now wanders wild o'er solitary tracts  
 Of life-deserted sand; till, glad to quit  
 The joyless desert, down the Nubian rocks,  
 From thundering steep he pours his urn,  
 And Egypt joys beneath the spreading wave.

It will be sufficient for me to say, that it was on this stream, and at this season, that I embarked for my excursion to the Pyramids; and you, who know the enthusiasm of my disposition, will readily believe that I embarked with delight.

Accompanied by the janissaries of the government, as a protection from the insults of the Turks, armed with pistols and sabres, to defend ourselves against the Bedouin Arabs, and attended by an interpreter, servant, and two or three persons who solicited the favour of joining our party, we quitted Cairo in the afternoon, embarked on board our canja, (a long oared galley,) upon the Nile, just before sun-set; and, by the light of a brilliant moon, continued our voyage until midnight, rowing over the very surface of the fields and gardens, which were then covered by the inundation of the river, and landing at the foot of the barren hills on which these pyramids are built. It would be impossible for me to convey to you, by any written description, so accurate an idea of their appearance from hence as you will find in the drawing of Mons. Cassas, accompanying the third French edition of Volney's 'Voyage en Syrie et en Egypte,' in octavo, published 'à Paris, chez Dugour et Durand—an. 7;' and facing page 229. The relative positions and scales of proportion observed in these monuments, as well as in the fore-ground of the objects occupying the view, are given with the greatest fidelity; so that, with this engraving before you, you may almost imagine yourself on the spot.

The effect produced, during the gradual approach towards the pyramids, is feebler than one's anticipations presage, from a cause, which Dæmon has, I think, very satisfactorily explained; but, when actually touching the sides of these enormous structures, and, reposing to their base, they strike the beholder dumb with astonishment, and oppress the heart with feelings, which, as, in my own case, it seemed they differ from all that I had ever felt before, were such feelings most eloquent pen could not faithfully convey to another. For

myself, I am persuaded that if my years were prolonged beyond the common period of existence, and chequered with all the variety of which a mortal's history is capable, I could never forget them.

As the moon had not yet yielded up her empire of the night, we ascended the south-western angle of the Great Pyramid, still illumined by her declining rays, and after much difficulty succeeded in gaining its lofty summit.

After remaining here to see the sun rise from the very top of this stupendous monument, and enjoying the novelty and splendour of the scene, we descended to the base; and afterwards penetrated into the interior of the Great Pyramid, visiting all its mysterious passages and caverned recesses, and feeling the full force of the impressions which such an external and internal examination of these stupendous piles is calculated to inspire.

You will remember, I am sure, with peculiar pleasure on this occasion, the descent of Rasselas and the Princess, his sister, into those mansions of the dead, and the force and eloquence of the sublime reflections which it drew from the moralising pen of Johnson; they are as honourable to his genius as they are worthy of the occasion which suggested them; and I might add, that he who could visit such monuments untouched by sentiments of a similar nature, would deserve, in every sense, the opprobrium which Shakespeare bestows upon—

The man that bath not music in his soul,  
And is not moved with concord of sweet sounds.

It is here, also, I might offer you, with peculiar propriety, the reflections of a Mohammedan captive in correspondence with his friends: you will admire them, both for their beauty and their truth.

Among the variety of principles by which mankind are actuated, there is one, says he, 'my dear Asem, which I scarcely know whether to consider as springing from grandeur and nobility of mind, or from a refined species of vanity and egotism. It is that singular, although almost universal, desire of living in the memory of posterity; of occupying a share of the world's attention, when we shall long since have ceased to be susceptible either of its praise or censure. Most of the passions of the mind are bounded by the grave; sometimes, indeed, an anxious hope or trembling fear will venture beyond the clouds and darkness that rest upon our mortal horizon, and expatiate in boundless futurity, but it is only this active love of fame which steadily contemplates its fruition, in the applause or gratitude of future ages. Indignant at the narrow limits which circumscribe existence, ambition is for ever struggling to soar beyond them; to triumph over space and time, and to bear a name, at least, above the inevitable oblivion in which every thing else that concerns us must be involved. It is this, indeed, which prompts

the patriot to his most heroic achievements; which inspires the sublimest strains of the poet; and breathes ethereal fire into the productions of the painter and the statuary; for this the monarch rears the lofty column; the laurelled conqueror claims the triumphal arch; while the obscure individual who moved in an humble sphere, asks but a plain and simple stone to mark his grave, and bear to the next generation this important truth, that he was born, died, and was buried. It was this passion which once erected the vast Numidian piles, whose ruins we have so often regarded with wonder, as the shades of evening—fit emblems of oblivion!—gradually stole over and enveloped them in darkness. It was this which gave being to those sublime monuments of Saracen magnificence which nod in mouldering desolation as the blast sweeps over our deserted plains. How futile are all our efforts to evade the obliterating hand of time! As I traversed the dreary wastes of Egypt, on my journey to Grand Cairo, I stopped my camel for a while, and contemplated in awful admiration the stupendous Pyramids. An appalling silence prevailed around, such as reigns in the wilderness when the tempest is hushed, and the beasts of prey have retired to their dens. The myriads that had once been employed in rearing these lofty mementoes of human vanity, whose busy hum once enlivened the solitude of the desert, had all been swept away from the earth, by the irresistible arm of death—all were mingled with their native dust—all were forgotten. Even the mighty names, which these sepulchres were designed to perpetuate, had long since faded from remembrance; history and tradition afforded but vague conjectures, and the Pyramids imparted a humiliating lesson to the candidate for immortality.!

Such, my friend, were the feelings and reflections with which I also viewed those stupendous piles; and never did the human race appear to me so truly in the light in which they should be viewed, as during the moments which I passed in silent meditation before those pride-abasing monuments!—I confess with Volney, that ‘*Rien ne peut exprimer la variété des sensations qu’on y éprouve, la hauteur de leur sommet, la rapidité de leur pente, l’ampleur de leur surface, le poids de leur assiette, la mémoire de temps qu’elles rappellent, le calcul du travail qu’elles ont coûté, l’idée que ces immenses rochers sont l’ouvrage de l’homme si petit et si faible, qui rampe à leurs pieds; tout saisit à la fois le cœur et l’esprit d’étonnement, de terreur, d’humiliation, d’admiration, de respects, &c. &c.*—p. 239.

M. de Pauw, after some very excellent observations, in which he combats successfully the absurd opinion of those monuments being intended for astronomical purposes, falls into an error in supposing, with Dr. Shaw, that the sarcophagus of the royal chamber was never intended for the reception of any carcase, although he assumes to himself great credit for being the first to reflect, that this chest

might be what the Egyptians called the tomb of Osiris, the superstition attached to the construction of which consisted in making the rays of the sun descend around it, without causing any shadow on the ground at mid-day. The Egyptians were too good astronomers not to know; that to produce such an effect permanently, their monuments should have been erected within the tropic. But you will see the whole of his reasoning in his '*Recherches Philosophiques sur les Egyptiens et Chinois*,' where, among many extravagant conjectures and dogmatic assertions, you will find some interesting facts to repay the attention of a perusal.

If the colossal pyramids themselves are objects of peculiar interest, from the wonders they display, or the lessons they teach to the artist, the antiquary, and the philosopher, the region in which they are situated is not less so to the admirer of classic literature; for, as Savary correctly observes, '*C'est dans les riches campagnes qui les environnent, que la fable place les Champs Elisées. Les canaux qui les traversent sont le Styx, le Lethé; pénétré des idées de la mythologie, on croit voir les ombres des héros, et des hommes vertueux voltiger à ses côtés. On croit entendre le dernier adieu d'Éuridice. Combien ces lieux, célébrés par Orphée et Homère, ont, prêts d'images touchantes à la poésie!*'

The descent into hell is generally understood among the learned to be a form of admission into the mysteries, of all those, more especially, who endeavoured to prove themselves the most illustrious benefactors of mankind. Of these mysteries, the Egyptians may be; perhaps, esteemed the original authors; and the descent of their king Rhampsinitus to the infernal regions is older than that of Hercules, who visited hell by the river Acheron, from whence he brought back with him the dog Cerberus, whose foam overspread the country with aconitum. Adonis was celebrated for having the liberty of descending to Acheron, or the infernal regions, and of returning again at certain seasons, alluded to by Theocritus:

'And could not on his hills Adonis fire  
The raving goddess with such wild desire,  
That to her breast she drew his quivering breath,  
And lock'd his limbs in hers, though chilled by death.'

And again, in the fifteenth Idyllium of the same poet, where he is said to be the only hero who possessed that privilege. You will find it in the beautiful hymn on the death of Adonis, sung by the Greek girl in the hall of the palace at Alexandria, descriptive of the storied tapestry that adorned its sumptuous walls:

'Sweet-smiling arbitress of love,  
Queen of the soft Idalian grove;  
Whom Golgos, and the Erycian height,  
And thy fair fanes of gold delight!  
How loved the down-shod hours have led  
Thy own Adonis from the dead.'

To all thy ardent wishes dear,  
 Reiterated, to bless the closing year.

Behold that tapestry diffuse  
 The richness of the Tyrian hues!  
 E'en they who tend Milesian sheep  
 Would own, 'tis softer far than sleep!

Amid this bed's relieving shade,  
 Mark rosy-arm'd Adonis laid!  
 And on that couch survey the bride,  
 Rejoicing in the vernal pride  
 Of him, whose love-embathed kiss  
 Glows with the breath of eager bliss!  
 Now let her joy.—But ere the morn  
 Shall dry the dew that gem the thorn,  
 His image to the shore we'll bear  
 With robes unzoned, and flowing hair;  
 With bosoms opened to the day,  
 And warble thus the choral lay:

'Thou—thou alone, dear youth, 'tis said,  
 Canst leave the mansions of the dead,  
 And passing oft the dreary bourne,  
 Duly to earth's green seat return!  
 Such favour not th' Atridae knew,  
 Nor who the fleecy flocks o'erthrew;  
 Nor Hector, his fond mother's joy,  
 Nor Pyrrhus, proud of plundered Troy;  
 Nor e'en Patroclus, great and good,  
 Nor they who boast Deucalion's blood;  
 Nor Pelop's sons; nor, first in fame,  
 The high Pelasgian's blazoned name.

Propitious, O! Adonis, hear,  
 Thus bring delight each future year!  
 Kind to our vows Adonis prove,  
 And greet us with returning love.

But I am wandering beyond my limits: yet I cannot close without telling you, that I did not leave a spot to which I was rivetted by so many charms, without a mixture of regrets and wishes. Among the latter was that of seeing your name inscribed beneath the one of Lady Hester Stanhope, on its entrance, as she is the only European lady that has ever visited these monuments; and in wishing you the honour of an equal distinction, it was in the assurance that it would furnish you with agreeable recollections for life. The other, and scarcely less ardent wish, was that of going from hence to the Lybian Oasis, to drink at the Fountain of the Sun, which Herodotus, in his *Melpomene* (181) thus describes: 'The Ammonians have also a fountain of water which at the dawn of morning is warm, as the day advances it chills, and at noon becomes excessively cold; as the day declines its coldness diminishes; at sun-set it is again warm,

and its warmth gradually increases till midnight.' The following is a description of the same fountain by Silius Italicus :

' Stat fano vicina novum et memorabile, lympha  
Quæ nascente die, quæ deficiente tepescit,  
Quæque riget medium cum Sol accendit Olympum,  
Atque eadem rursis nocturnis fervet in umbris.'

And it is to this same fountain that allusion is made in the following beautiful melody of Moore :

' Fly not yet ! the fount that play'd,  
In times of old, through Ammon's shade,  
Though icy cold by day it ran,  
Yet still, like souls of love, began  
To burn when night was near.  
And thus should woman's heart and looks  
At noon be cold as winter brooke,  
Nor kindle, till the night returning,  
Brings their genial hour for burning ;  
Oh stay ! oh stay !  
Joy so seldom weaves a chain  
Like this to-night—that oh ! 'tis pain  
To break its web so soon !'

The echo of the strains in which I have so often heard these lines uttered, still lingers on my ear, nor shall I ever cease to remember them ; though in the path which I am about to tread, every step of which will increase the distance between us, the memory of them must be like the sensation inflicted by the arrow of the Indian Cupid, whose shaft is flowers, but whose point is barbed with the stings of bees, for a reason well explained by Dante, when he says—

' ——— nessun maggior dolore,  
Che ricordarsi del tempo felice,  
Nella miseria ———.'

But during my voyage upon the Nile, while visiting the temples of Osiris, I shall endeavour, occasionally at least, to lose my sorrows at his shrine, if he be the god that Tibullus has thus invoked :

' Thee sorrow flies, Osiris, god of wine !  
For songs, enchanting love, and dance are thine :  
Fresh flowers and ivy thy fair head surround,  
And a loose saffron mantle sweeps the ground ;—  
With purple robes invested now you glow,  
The shrine is shewn, and flutes melodious blow ;  
Come then, my god—but come bedewed with wine !  
Attend the rites, and in the dance combine ;  
The rites and dances are to genius due :  
Benign Osiris ! stand confessed to view !'

ELUC. 8. B. 1.



## MANAGEMENT OF THE BOMBAY COURIER.

*To the Editor of the Oriental Herald.*

SIR,

Bombay, 17th February, 1827.

THE deception practised in the management of the 'Bombay Courier' is as gross as was that of the abolition of the Censorship at this Presidency. It is no doubt supposed by the world, since the order of the Court of Directors was promulgated at Bombay, prohibiting the servants of the East India Company from having any connection with any newspaper after the 1st December, 1826, that the 'Bombay Courier' is quite independent of the Government; No such thing; Mr. M'Adam, a surgeon in the Company's service, is still the Editor, and that, of course by the express permission of the Government, although contrary to the express orders of the Court of Directors; but Mr. M'Adam holding the Editorship is of course dependent on the Government, by whose permission he holds it, much more so, indeed, than if the licensing regulations were in force.

The boon thus granted to him by the Government is, however, not gratuitous; servile as the paper was before to the Government, and insolent as it was to the King's Court, that servility and that insolence are not to be compared with its present servility and insolence; and this is the honourable price which Mr. M'Adam pays for his exemption from the order of the Court of Directors, an order, which it is now quite evident the Honourable Court could never have meant to be put in force, and was only published as a sort of salvo to their own credit; for if the Government here had really believed their honourable masters to be serious in the denunciations which that order contained, high and mighty as our 'beloved head' and his associates are, they would not have dared to treat that order with the utter contempt which they did.

You will have seen in that very paper, the 'Courier,' the account of the meeting of the Native School Book Society, and the grossly adulatory speeches of the Natives to the 'beloved head.' Do you really suppose these were the speeches of those Natives? Look at the language,—they are in fact composed and written out by some of the Committee, of which Committee the self-same Dr. M'Adam who prints them in his paper is one;—they are then handed to these Native gentlemen, who read them with great difficulty, sometimes cannot read them at all, and who do not understand them, but are astonished and pleased at the applause which follow their effusions. At the meeting of 1825, a very respectable Hindoo could not read ten words of his own speech, and was literally obliged to sit down

after many absurd attempts, which nearly convulsed the meeting with laughter.

Mr. Elphinstone has all at once become affable to the Natives, and aims at popularity with them, though till lately he never thought about them ;—his object was popularity with those who had a voice in England, and particularly with those who had a voice in Leadenhall Street, and he gained that popularity by letting the Civil Servants do as they pleased, and increasing their salaries ; but this license of the Civil Servants was of course the most cruel oppression to the Natives. Mr. Elphinstone is now grown, as I said before, affable to the Natives : the Government House was full of them the last new-year's day. Shall I tell you the reason of this change ? Mr. Elphinstone is turning every stone to get an address from the Natives on leaving the Government ; he will of course succeed ; it will be drawn up by Mr. Warden, and none of the Natives will venture to refuse his signature.

I am, Sir, your most obedient servant,

O. P. Q.

TRIBUTARY LINES TO THE MEMORY OF SIR DAVID OCHTERLONY,  
MAJOR-GENERAL OF THE BENGAL ARMY.

ILLUSTRIOUS Chief, farewell !—Thy trophied shield  
Records the deeds of many a well-fought field.  
There, India's plains with tropic palms appear,  
Where feats of valour mark'd thy young career :  
There, Delhi's regal towers resplendent shine,  
Where Lake's immortal name is wreath'd with thine :  
And there, Nepal, in mountain grandeur stern,  
Lifts to the skies her ' Conqu'ring Hero's ' cairn.

Never was Chief more worthy to command,  
Thy sword enforcing what thy wisdom plann'd :  
Never was Chief more cheerfully obey'd,  
For all thy marches still to triumph led.

How like a brother, in the hour serene,  
Thy soul unbended o'er the social scene !  
With thee 't was still the soldier's pride to share  
The blithesome banquet and the toils of war.

When dark on wild Nepal the clouds were hung,  
And o'er the plains their gloomy shadows flung,

The deep'ning darkness boded no despair,  
 It was enough to know—that thou wert there!  
 Bright as the arch that doth the storm-illumine,  
 Thy name was Hope's bright bow amidst the gloom.  
 O, then 'twas thine to fire on mountains far  
 Our beacon-light,—Britannia's glorious star!  
 The gaze of nations saw it kindling spread  
 From cliff to cliff, till all the darkness fled,  
 And bright reflected from the realms of snow,  
 Its splendour cheer'd wide India's plains below:  
 From mountain-thrones dread Tyranny was hurl'd,  
 And in its own pure heaven the Cross unfurl'd!

To India's tribes thy name was long endear'd,  
 For valour honour'd, and for faith revered:  
 Thy mind with keen discernment quick survey'd  
 The Native's soul in every varying shade:  
 Sincere to thee, they in return did find  
 In thee the gen'rous and indulgent Friend:  
 But when they form'd the treach'rous dark design,  
 To mark the vain disguise at once was thine:  
 Thy English spirit then indignant rose,  
 And open vengeance crush'd thy secret foes.

Thy name henceforth shall be our battle-cry,  
 And with the shout we conquer, or we die:  
 That name for ever to the Sepoy dear,  
 Amidst the fight will thrill upon his ear!  
 His deeds shall still the rolls of Fame adorn,  
 And show what valour lives with soldiers born.  
 Yes, when the battle-field, or fortress calls  
 To give the charge, or mount the guarded walls,  
 Along the ranks th' exulting sound shall spread,  
 'Such were the soldiers Ochterlony led!'

Lamented Chief—though now (with glory won  
 And laurels grazed) thy triumphs here are done,  
 Thy name shall live along th' embattled line,  
 And mingle, hallow'd, with the votive wine:  
 The plains shall boast, and mountain echoes swell  
 That ever-honour'd name.—Brave Chief,—farewell!

# MEDICAL DEPARTMENT OF BENGAL.

*To the Editor of the Oriental Herald.*

SIR,

Bengal, January 1, 1827.

IN some of your late Numbers, I have observed several letters on the subject of the Medical Department of Bengal, and its much neglected interests, which I hope may attract the notice of the Courts of Directors or Proprietors, as I fear that this degraded line of service can hope for no aid from the local Government, which, having few friends to serve, or jobs to effect, in that line, take no interest in the welfare of its members.

For the last five years, this department appears to have been more especially chosen by the Bengal Government to be degraded and trampled upon in its senior branches; their lengthened periods of service has only drawn down on them the greater contempt and asperity of the ruling powers; who, entirely ignorant of what should be known of medical duties, and floundering in the dark, when they hope to produce public good, are sure to cause only confusion and trouble. As an example, amongst many others, the General Orders of Government, of 22d March 1823, is a bright instance, where, leaving patronage in the hands of subordinate authorities, instead of laying down distinct rules for its disposal, it has set the whole department, at every station in the army, in opposition to each other, and established a system of favouritism, and laid the foundation of heart-burnings, that good men would revolt at: but no man dare point this out; if he did so, he would be marked in the sequel.

It is now above two years since a most respectful memorial from the Bengal Medical Service is said to have been forwarded, through the local Government, to the Court of Directors, imploring them to take the miserable and dreary prospects of the department into consideration; but as yet no reply is vouchsafed to it. How different was the conduct of the Court to their Civil Service, when the memorial regarding their pension went home? But it is to be hoped, though the justice of the Court towards their Medical servants is tardy, that it will not be altogether withheld; but that some more adequate and respectable provision than the present pension will be allowed to surgeons who have served above twenty years in India, exclusive of furloughs.

No surgeon in the Company's service can at present retire from it on the pension only. Will 180*l.* per annum support a gentleman in common comforts, who has worn out his constitution by twenty-six or twenty-eight years' service in India? The consequence is, that rather than retire on this annuity, the invalid surgeon lingers out a miserable existence in India,—he dies there. As to the

higher pensions attached to the grades of Superintending-surgeon and to that of Member of the Medical Board, it is true that if a man's constitution be strong enough to enable him to outlive all his contemporaries, he will reach these grades; but all the service know, that Dr. Alexander Gibbs, who has served in India forty-four years, is not yet entitled to his pension as a Member of the Medical Board. And of all those who have been in the Company's Bengal Medical Service, two individuals only are alive who enjoy the pension of this grade, Drs. Fleming and Cochrane; and both these gentlemen are verging on, if not exceeding, eighty years of age. Can it then be said, that this is a retiring pension for men now in the service to hope to attain? In the Bengal Medical Department, such an expectation would be hopeless. The Court of Directors ought, in justice to a meritorious and much neglected class of public servants, to take the retiring pensions of each grade of their medical servants into consideration, with a view to grant such increase as they imperiously call for.

Many of the surgeons on the Bengal establishment are of equal standing in the service with individuals who are now lieutenant-colonels in the army; and when it is considered, that an assistant-surgeon must be twenty-two years of age before he can be nominated to the service, while a cadet can be appointed at fifteen, is it too much to hope, that the retiring pension of the surgeon may approximate nearer to that of a field-officer than at present it does? Chaplains are allowed to retire on the pension of major, after fifteen years' actual service in India; and is it too great a boon to hope, that the Honourable Court will allow full surgeons to retire on an equal pension, after twenty or twenty-two years of actual service in India? say twenty-five years' service, including three for a furlough. A surgeon in his Majesty's army, after thirty years' service in Europe, is entitled to 15s. a-day pension; and surely twenty years of actual service in India, in the Military Department, is equal, in the tear and wear of constitution, to thirty years' service in Britain. The miserable pension of 110*l.* per annum, or 190*l.*, is quite inadequate to the support of a retired surgeon; and it behoves the Court of Directors to make some more liberal provision, more especially for those who have served for a lengthened period beyond seventeen years, which at present entitles medical officers to retire on captain's pension.

The pension of a superintending-surgeon should be made at least equal to that of a lieutenant-colonel. And why the Honourable Court should have withheld the name and the rank of inspectors of hospitals from this grade of their Medical Service, is only another proof of the disregard and neglect shown towards the medical department by their Honourable Masters. Would this be the case were they King's servants? In the British service, which the India Company profess to adopt as their model, an inspector of

hospitals ranks with a colonel in the army. Dr. Burke in Bengal, therefore, takes rank even of the Members of the Medical Board, who rank only with lieutenant-colonels ; whereas our superintending-surgeons, who actually ought to be inspectors of hospitals, and who perform the duties of such, rank only with majors in the army. Is not this a proof of the low and degraded state of the medical department in the India Company's service, and the total disregard shown to their interests, even in the highest branches of their line ? Yet it is surprising to see the number of well-educated young men who, deceived by an expectation of better things, have entered the Company's Medical Service, and are now labouring for their support in India, without a hope of ever being able to revisit their native country. It becomes your duty, Mr. Editor, to expose the real state of this service in England, and not to permit its degraded and oppressed condition to continue unknown ; that others, at least, may avoid the errors which the ignorance of those now in the service led them into.

As to the pensions attached to retired Members of the Medical Board, I must say I consider them adequate, or nearly so, if they could only be reached in any reasonable period of service ; it is not with the amount of that pension, but with the time it takes to reach it, that I am disposed to find fault, for this last makes it a dead letter to the service. If a pension is so given, that a man has little or no chance of living to obtain it, of what value can it be to him ? and seeing that the only two individuals who enjoy this pension are nearly eighty years of age, who, now in the lower ranks of the service, can look to obtain it ? Upon this subject, I think the postscript to the Bengal memorial, above referred to, stating the comparative prospects of the departments at the three Presidencies, upon the four years' time to the Medical Board, being introduced, contains arguments so unanswerable as to the low condition of the Bengal service, compared with that of the other two Presidencies, that I shall here annex it in a note ; showing, at least, the superior chances of attaining the higher pensions at the sister Presidencies. The utter disregard into which it is understood the Bengal Medical Board has fallen for many years, would lead me, as a well-wisher to the department, to hope, that the Court of Directors will require that the Military Secretary to Government should no longer be permitted to usurp their powers, but that the opinion of the Board should lead the Government in all points relative to the department. It is generally believed, that had this been attended to, the situation of apothecary-general would not be held at present by the gentleman who now holds it, and the Governor-General would have been saved from the imputation of truckling to one of his Council, at the sacrifice of the interests of the department, which the Medical Board, it is said, were disposed to uphold.

To place the advantages as to pension, of the Medical Service of

the three Indian Establishments, upon an equal footing, it will become absolutely necessary to re-model the higher grades in Bengal and Madras, so as to bring them on a par, as to the chance of superior pension, with the Bombay establishment. To effect this, it appears to me that the most equable and just arrangement would be, to grant to a specified number of the senior superintending surgeons of the Presidencies the personal allowances of a Member of the Medical Board, together with the pension of that grade; thus giving the three establishments the same chance of advantage as to pensions, according to the numerical strength of each establishment, which at present is so much in favour of Bombay, and so much against Bengal.

I remain, Sir, your obedient servant,

A.

*Postscript of a Memorial from the Bengal Medical Establishment to the Court of Directors, forwarded in 1824. Not yet replied to.*

Since this memorial was drawn out, the orders of the Court of Directors introducing a tour, by rotation of four years, to each member of the Medical Boards, to take effect in Bengal from the 1st May 1824, have been published; its effects upon the department in accelerating promotion and advancement to the higher rates of pension, when compared with the establishments at the sister Presidencies, may be briefly noticed. The establishment in Bengal is limited to 300, (though now increased to 350,) that at Madras at 210, and that at Bombay to 120 in number; to each a board of three members is attached; being to the first as 1 to 100, to the second as 1 to 70, and to the third as 1 to 40; in that proportion, therefore, will the respective services benefit from the system now introduced; so that, in fact, to bring Bengal upon an equal footing with Bombay, the seven senior members on the medical list should receive the salary each of a member of the Medical Board, and become entitled to pensions of 500*l.* per annum, after two years services as such; also to be removed from their appointments (and to return upon the service if they choose) after four years tour, giving place to others. The marked disadvantages of the Medical Department in Bengal, when compared with Bombay and Madras, and which must yearly increase, may be noticed by a glance at the Army Register of the respective Presidencies; where it will be seen that the junior member of the Medical Board in Bengal is a full surgeon of 30th October 1797; the junior member at Madras is a full surgeon of 13th January 1802; and the junior member at Bombay entered the service only in the year 1807!!

The last member who vacated his seat at the Medical Board of Bombay, appears to have passed through the service in 32 years; a period of service which brought the senior superintending-surgeon in Bengal to his present rank only in 1814, or 10 years ago; whereas the three last promotions to superintending surgeon at Bombay was attained each within 20 years service; the last promoted, Mr. G. Ogilvy, being an assistant-surgeon of 11th August 1805, was junior in standing to Messrs. S. Slough and William Panton of the Bengal Service. The disparity and disadvantages in Bengal are further exemplified by the fact, that Mr. G. Ogilvy, at Bombay, by the next tour of rotation in the Bombay Board, (within two and a half years,) must necessarily stand first for a seat in

the Bombay Medical Board, entitling him, after two years service therein, to the pension of 500*l.* per ann., whereas the junior superintending-surgeon of Bengal, already 28 years in the service, will require four rotations of the Medical Board, or 16 years longer, to place him as junior member of the Board; the former cannot exceed 29 years, but the latter cannot be less than 48 years, in passing through the respective services; and this will be found to apply, in a still greater degree, as their respective services advance under the operation of the present system. It is hoped that the consideration of the statement may weigh in favour of some further benefit to the Bengal Medical Department, to place it on a parity with those of the sister Presidencies.

### EAST AND WEST INDIA TRADE.

OUR readers will recollect the pains we took to show the fallacies of Mr. Huskisson's speech on the East and West India Trade, in reply to Mr. Whitmore's motion for a Committee of Inquiry. We are glad to see that this subject has since excited the attention of others; and that, in a small work, entitled, 'The Anti-Slavery Reporter,' some details are given which are worth repeating here, more especially as it is probable that the original work is not generally known in India. After introducing the debate, which we have given at great length in the 'Oriental Herald' for June, with notes on the several speeches, the writer says:

It was asserted by Mr. Huskisson, that no benefit whatever was derived to the West Indians from their monopoly of the British sugar market. Now, if this position were deemed to be correct, it does seem extraordinary that that monopoly should be prolonged. It cannot be denied that the desire of its abolition is very general throughout the kingdom, and has been expressed in innumerable petitions to Parliament. Nether can it be denied that this monopoly is felt, and that it unquestionably operates, as a grievance in the case of large classes, both in this country and in British India, who complain of its pressure, and who call for its extinction. Under these circumstances, nothing can be conceived more ungracious, than to reject a prayer so consonant to all the recognized principles of our commercial policy, and to retain restrictions offensive and injurious, as well as unjust to multitudes, while it is admitted that they yield no advantage to any other party. It is perfectly obvious, that if this statement were believed to be true, there could be no ground for caution or hesitation as to the course to be taken: it would be both unreasonable and absurd to continue the monopoly in question for a single hour. If it is to be maintained in spite of all the strong reasons which exist for abolishing it, this must arise from a conviction the very opposite to that which has been expressed, namely, that considerable benefit is in some way or other derived from it by the West Indians. And it is some presumption, at least, in favour of this opinion, that they and their partizans (among whom we should be sorry to number the Right Honourable Gentleman) are alone eager to defend and protect this monopoly.

One ground assigned for believing that the monopoly is of no real



benefit to the West Indians, is, that as more of their sugar is imported into this country than is consumed there, the surplus being exported to the continent, its price cannot be enhanced in consequence of the monopoly; because the price on the continent must necessarily regulate the price in England. Admitting this as a general principle, yet, we would ask, how it happens, that though the West Indians are now at liberty to export their surplus directly from their plantations to the continent, they prefer sending it first to England, and then from England to the continent, though it thus becomes loaded with double freight, insurance, commission, and shipping and landing charges? This otherwise strange proceeding is to be explained only on the principle of their deriving, in some way, a very great advantage from their monopoly of the British market. And the fact is, that the drawback on the refined sugar exported from this country is so regulated, as not only to compensate to the West Indian planter the heavy extra charges just mentioned, but to afford him a considerable profit besides, all which must obviously come out of the pockets of the people of this country.

‘It is a further proof of the correctness of this view of the subject, not only that no raw sugar is shipped directly from the West Indies to the continent, (except in a case to which we shall presently advert,) though the continental ports are open to receive it; but that the whole quantity exported thither from this country in a *rate* state in 1825, for example, did not exceed 200 tons, and was probably not even intended for sale there, being evidently not more than might be required for the use of the crews of the ships engaged in the trade between Great Britain and the continent. Besides this, there were, in that year, 320,971 cwt., or 16,049 tons of refined sugar exported to the continent, which, reckoning (as it is reckoned in the custom-house returns) at the rate 34 cwt. of raw for each 20 cwt. of refined, would seem to exhibit an export of 545,652 cwt. of raw, or 27,283 tons.

‘The law at that time allowed to the exporter of one ton of refined sugar a drawback of 4*l*. And if it had required 34 cwt. of raw to produce a ton of refined sugar, this would have been an equitable arrangement. But, in truth, 30 cwt. of raw sugar is equal, or more than equal, to the production of 20 cwt. of refined, besides leaving a considerable residuum, after refinement, of both bastards and molasses.

‘The calculation may be thus made:

‘ 30 cwt. of raw sugar yield about 75 lbs. per cwt., or about 20 cwt. in all, of refined; on which, previous to July 1826, a drawback was allowed on exportation of.....	£48 0 0
‘ Besides the refined sugar, 30 cwt. of raw yield about 392 lbs. or 3½ cwt. of bastards: these come into the home market nearly on the same footing with raw, which pays a duty of 27 <i>s</i> . per cwt. being therefore equal to.....	4 14 6
‘ They also yield about 504 lb. or 4½ cwt. of molasses, which coming into the market on the same footing with that paying a duty of 10 <i>s</i> . per cwt. are equal to .....	2 5 0

‘ Making in all .....	£52 19 6
‘ Now the whole duty actually paid on the raw sugar which produced all this was, on 30 cwt. at 27 <i>s</i> .....	40 10 0

‘ Leaving a gain of..... £12 9 6

Or nearly 8s. 4d. on each cwt. of the raw sugar so manufactured, and making therefore a profit to the West Indians, on the whole of our imports from the British dominions (180,000 tons) of about a million and a half, instead of the 1,200,000*l.* at which it was usually reckoned.

‘ Such was the state of things before the recent change in the mode of regulating the drawback.

‘ Now, instead of 46*l.* there is drawn back on each ton of refined sugar exported a sum of ..... £41 8 4

‘ The other advantages of bastards and molasses remaining the same, amount to ..... 6 19 6

‘ Making in all ..... £48 7 10

‘ Now the duty paid on 30 cwt. is still only ..... 40 10 0

‘ So that there is left on this transaction, even now, a gain, on every 30 cwt. of raw sugar, exported in a refined state, 7*l.* 17*s.* 10*d.* being equal to a little more than 5*s.* 3*d.* per cwt.

‘ In having stated, therefore, the bounty to have been 6*s.* per cwt. before the recent alteration, and only 3*s.* since, we have been considerably below the mark; that bounty appearing to have been 8*s.* 4*d.* before its reduction, and being still, as it appears to us, 5*s.* 3*d.*

‘ We admit it to be open to the West Indians to say, that we have estimated the quantity of refined sugar obtained from a cwt. of raw too high, when we state it at 74 lb. to 75 lb.: but we think not; and if an investigation were only allowed, we are confident it would be shown that even this estimate is below the truth. Indeed, the arrangement of the drawback, which allows 41*l.* 8*s.* 4*d.* to the exporter, seems to assume that only 30*l.* cwt. of raw are required for the production of a ton of refined; and even if that calculation were correct, the gain would still be 6*l.* 19*s.* 6*d.* per ton, or 4*s.* 7½*d.* per cwt. of raw sugar.

‘ The yielding of 30 cwt. of raw sugar is, on the above calculation, nearly as follows:

Refined sugar .....	20 cwt.
Bastards .....	3½
Molasses .....	4½
Waste .....	2

30\*

‘ If the operation of this bounty extended only to the quantity actually exported, its effects would be comparatively trifling. We should be paying to the West Indians from 120,000*l.* to 140,000*l.* in order that so much of their sugar as went abroad might be sold at a cheaper rate to our neighbours than we ourselves can obtain it for; but precisely in the same degree as the price of the sugar we export is thus lowered to them, is the price of our whole consumption enhanced to us. This effect is inevitable; and the enormous extent to which it operates upon us as a tax, for the benefit of the West Indies, has been already shown.

‘ We do not vouch for the perfect accuracy of these statements. We proceed necessarily on data more or less uncertain. This very uncertainty, however, forms a strong reason for a committee.

‘ If it be said, in reply to all this, that in stating the West India monopoly to be productive of no advantage to the West Indians, it was intended not to speak of the bounty, which is a matter that does not injure the East Indies, and only concerns the people of England, but of the protecting duty alone. “ If the people of England,” we presume it will be argued, “ choose, in their extreme liberality, to give the poor West Indian planter eight or nine, or any other number of hundred thousand pounds annually, wherewith to pay for his drivers and his overseers, his stocks and his whips, his workhouses and his gibbets abroad; or for his splendid establishments, and seats in parliament at home; is it not most unreasonable in you abolitionists factiously to find fault with them on that score? Why should you intervene, to stop the free course of their eleemosynary contributions? It is not above a sixth part of what they raise, without a murmur, to feed the pauperism of England. The planters indeed are paupers of another grade, but still they are paupers. Let us not grudge them this trifling boon. It would be cruel to drive them to lay down their equipages; and to abandon their seats in parliament; and to go over to a burning climate, in order to look after their slaves, and to arrest the waste of life which is going on among them. Let us have pity upon them! Let us do as we would be done by!”

‘ Leaving this appeal in favour of the bounty to produce its due effect, we will next turn to the protecting duty. Here we freely admit, that it is of the nature of all impolitic restrictions on trade to do little or no good to those in whose favour they are enacted, compared with the evil they inflict on all besides. Thus it may possibly be with the protecting duty in favour of West India produce. If, however, we were willing to admit that it did no good to the West Indians, the tenacity with which they cling to it, and which we cannot do them the injustice to believe springs from pure, disinterested malevolence, would convince us we were wrong in our own admission. They never could contend for it with the warmth and bitterness which they sometimes display, unless there were some advantage to be derived from it. The amount of that advantage we have never pretended to be able accurately to appreciate. But whatever it be, it is at least sufficient, in their estimation, to be worth a violent struggle to retain it; and, in that of the President of the Board of Trade, to be worth the sacrifice of part of his high and well earned reputation for candour and consistency, in order to preserve it to them for a somewhat longer period. Generally speaking, it cannot be denied, that the removal of this protecting duty would have the effect of materially cheapening one of the necessities of life. If, at this moment, the East Indian merchant can import, without loss, ten thousand tons of sugar annually, though loaded with an extra duty of 10*l.* per ton, it is not to be believed that, if the impost were removed, we should not have that sugar both cheaper and in greater quantities. But independently of this circumstance, which may probably explain the nature of the grief which the West Indians derive from the protecting duty, and the cause of the alarm with which they contemplate its removal, we ground ourselves upon the principle, so fully admitted by the President of the Board of Control on this occasion, that its imposition is an act of absolute injustice towards the inhabitants of India;—and we will add to that, an act of cruel injustice towards our starving manufacturers in the north, and towards the starving population of Ireland. It is a singular instance

of partiality in the laws which regulate our commercial policy, that while, with such a lavish hand, we dispense our bounties to a few hundreds of West Indian planters, we refuse to the myriads of our Indian subjects, and to the swarming and starving population of Great Britain and Ireland, the fair use of their energies, by removing the obstacles we have ourselves raised to it, and which are declared to be a benefit to no party, merely because those planters object to this exercise of our justice and humanity. And it is no less singular an instance of inconsistency on the part of one of our most enlightened statesmen and political economists, that he should be found throwing the broad shield of his reputation and influence over such a system.

It was ingeniously stated in the course of the discussion, that if it were true that the removal of the protecting duty, on East India sugar for example, would produce all the results anticipated from it, then it must have happened that that sugar would have found its way to the continent, and there have come into competition with the surplus sugar of the West Indies. Now, even if we could not discover any satisfactory way of escape from this dilemma, we should not the less believe that, if free scope were given to this trade, and if the galling restrictions which fetter the British capitalist in India, and load with imposts the British merchant at home, were removed, the result itself would furnish the best solution of the difficulty. No one understands better than the President of the Board of Trade the powerful effect produced by the mere absence of restrictions upon any particular branch of commerce. This was one of his main arguments in favour of his much maligned measures in respect to silk and shipping; and the result has proved it to be perfectly conclusive. He cannot doubt that it would prove equally so in this instance.

But independently of this general and irrefragable ground of confidence, we would ask, whether it be not true that there exist a variety of impediments to the kind of commerce, the absence of which is so strenuously alleged to be *prima facie* evidence against the probability of a large sugar trade with the East Indies? If so, all we need say in reply is, 'Remove your restrictions; set free our energies; and then if we do not succeed, abjure your own principles, and revert to the exploded dogmas of other days.' Unquestionably no great trade can be established all at once. It must have its beginning, and its gradual progress. Thus was it with East Indian indigo. At present, the cultivation of sugar, by British capital, has not even commenced in that quarter. The discouragements both there and in this country are so great, as wholly to prevent the application of capital in that direction; and until these discouragements are obviated, the trade must remain in its present state of depression and insignificance. The necessities, indeed, of the merchant, not his own will, oblige him from time to time to bring sugar to this country as dead weight; but if he were relieved from the burthensome tax he has to pay upon it, he would bring it freely and regularly, and its growth would increase to the full extent of his demand. It is not enough to say to him, you may carry the sugar of India to the continent. His answer is, 'My voyage is to London. If I send it to the continent direct I shall have no dead weight for my ship; and if I send it to the continent, after having made the voyage to England, I shall send it under every possible disadvantage, and loaded with double charges, there also to meet, in some other countries, at least, of Europe, as well as in England, with protecting duties in favour of their own colonial produce. Besides, my

transactions are with England. It is there I wish to form my establishments and to realize not only my profits, but my commissions, instead of transferring those commissions to foreigners; and if I must submit to send my heavy goods, (my sugar, for instance,) to the continent, I must change my whole plan of trade, and send my light goods thither direct, as well as my heavy goods, form my establishments there, and abandon England entirely.' Many other reasons might be assigned to show that the real escape from the dilemma on the horns of which it has been attempted to place us, is to be found in the removal of the absurd restrictions, which prevent the due development of British capital and native industry in India; and which most unjustly load with imposts, in this country, the produce of that capital and of that industry.

'We have said that there is one exception to the statement, that no sugars go *direct* from the colonies of Great Britain to the continental market. It is the case of some estates in that part of Dutch Guiana, which, in 1814, was ceded to Great Britain, and in favour of which a stipulation was then obtained that their produce should not be brought hither, but carried to Holland. This was thought at the time to be a great boon to the proprietors. At this very moment, however, we understand that those proprietors are earnestly pressing the Government of this country to relieve them from this injurious distinction, and to permit them to send their sugars to the British market; the loss to them of not being allowed to pass through that market, notwithstanding the double voyage, being considerable. We have here an additional proof of the heavy burden to which this country is subjected for the support of slavery.

'It is a further confirmation of it, that a practice has recently grown up of extracting from the molasses imported from the West Indies the sugar contained in it, and either bringing that sugar into consumption at home, or exporting it in a refined state to the continent. It seems right to warn the Government of the extensive frauds which may thus be practised. It is obviously easy so to manage the manufacture of sugar in the West Indies, as that a very large proportion of saccharine matter shall be held suspended in the molasses; and as the duty on molasses is only 10s. per cwt., it is further obvious, that on all the sugar that may be extracted from it, and brought into consumption at home, there might be a clear gain to the importer of 17s. per cwt., being the difference between the duty on sugar and that on molasses. And supposing the sugar so produced to pass through the process of refinement, the gain would be materially greater. Thirty hundred weight of such raw sugar will have paid of duty on importation only the sum of 15l.; and yet, when refined and exported, it may yield the same amount of drawback, &c. on its exportation, as we have shown to be derived from the same quantity of Muscovado, when refined and exported, though 30 cwt. of Muscovado pay a duty of 40l. 10s. on importation. What is to hinder a sugar baker in this country, having a sugar estate in the West Indies, to import all his sugar, in the state of a thick syrup, at the low rate of duty of 10l. a ton, and to receive on its exportation, in a refined state, an amount of draw back which shall afford him a most enormous profit?

From a Paper ordered to be printed by the House of Commons on the 15th of May 1827, No. 345, we extract the following particulars of the East and West India Trade :

*Exports from the United Kingdom to the East Indies, China, &c.*

Year.	Total Value. Official.	Manufactured Cottons of all kinds. Yards.	Value of manufac- tured Cottons. Official.
1814	£1,696,404	818,208	£88,195
1815	2,064,566	1,355,476	109,644
1816	2,185,642	1,705,758	142,811
1817	2,779,626	5,316,729	432,123
1818	3,185,751	8,842,046	698,817
1819	2,373,556	7,127,661	556,116
1820	3,272,811	14,325,276	1,138,701
1821	4,303,045	19,896,014	1,531,293
1822	3,875,934	20,741,843	1,639,001
1823	4,355,431	23,291,734	1,741,057
1824	4,394,800	24,524,573	1,765,346
1825	3,945,076	23,059,283	1,715,222
1826	4,877,133	26,225,103	2,066,596

*Exports from the United Kingdom to the West Indies.*

Year.	Total Value. Official.	Manufactured Cot- tons of all kinds. Yards.	Value of Manufac- tured Cottons. Official.
1814	6,632,138l.	32,878,565	2,975,067l.
1815	7,196,081	38,338,786	3,454,549
1816	4,853,228	21,624,669	1,988,902
1817	7,015,591	42,062,402	3,724,380
1818	5,989,707	30,843,995	2,671,934
1819	4,692,414	17,936,644	1,551,203
1820	4,561,246	19,676,487	1,689,882
1821	5,311,677	27,037,914	2,341,425
1822	4,370,100	20,389,362	1,739,938
1823	4,699,271	24,787,214	2,107,376
1824	5,167,931	27,551,050	2,301,931
1825	4,997,270	27,211,696	2,346,787
1826	4,647,293	19,292,606	1,648,979

**Official Value of Imports into the United Kingdom from the East and West Indies.\***

Year.	East Indies.	West Indies.
1814	6,298,386l.	9,022,309
1815	8,038,736	8,903,260
1816	8,310,697	7,847,895
1817	7,687,278	8,826,926
1818	7,337,689	8,608,790
1819	7,537,563	8,188,539
1820	7,562,647	8,354,512
1821	6,233,571	8,367,477
1822	5,106,400	8,019,764
1823	6,918,540	8,425,259
1824	7,312,355	9,065,546
1825	6,582,058	7,932,832
1826	8,002,838	8,283,507

\* There is much uncertainty in these official values. Coffee from the West Indies, for example, is valued at 7l. per cwt., when its real average value is not 3l. per cwt. Indigo, on the other hand, from the East Indies, is valued at 2s. 9d. per lb., when its real average value is at least double that sum. The import of that article in 1826 was 7,673,710 lbs. The difference of value is 1,088,125l. on that article alone, which ought to be added to the East Indian valuation; whereas, for the 236,000 cwt. of coffee imported from the West Indies, there ought to be a deduction of 504,000l. at least, thus altering the comparative amount to the extent of two millions in favour of the East Indies.

**SEPARATION.—A SONNET.**

How sweet in memory's visions to review  
 Past hours of bliss;—to think how oft I press'd  
 Thy yielding hand, sigh'd to thy heaving breast,  
 And from thy half-closed lids and orbits blue,  
 Thy inmost thoughts and tenderest feelings drew.  
 To think how much of thee I then possess'd,  
 And how my ardent passion hop'd the rest—  
 The vision's sweet, but yet 'tis bitter too;  
 For, when my wandering thoughts obtrusive turn  
 From dreams of moments fled to present truth,  
 Pondering the miseries of my exile state,  
 I sicken at the change.—Oh! could I learn  
 With joy-inspiring hope my woe to soothe,  
 And by the past to judge my future fate!

### FRENCH DISCOVERIES IN NUBIA.

THERE has recently appeared in France a work under the following title : ' Journey to Meroe, to the White River beyond Faz-oql, in the south of the Kingdom of Sennâr, to Syouah, and five other Oases, performed from the year 1819 to 1822, by M. Fred. Cailliaud, of Nantes, accompanied with maps, plates representing the monuments of those countries, and details relative to their modern state and natural history. Dedicated to the King of France.' Vol. 1, and 2, in 8vo. price 14 francs.

We have not yet had an opportunity of seeing this work in the original : but conceiving the country of which it treats to be one of great interest, and likely to be especially so to our readers in India, we have translated the following account of it from the last Number of the '*Bulletin Universel*' that has reached us from France.

When M. Cailliaud undertook, in 1819, the journey, the account of which is announced above, he had already visited a part of Egypt, and had conferred with the learned of France, as well on what he had seen, as on what was to be done preparatory to revisiting, with all necessary facilities for observation, countries which excite so lively an interest.

He departed, therefore, for Egypt, under the protection of the government, and with all possible instructions and aids which could render his researches profitable to historical and natural science : and M. Cailliaud, happy enough to have done more than could have been expected even from his zeal and devotion, has accomplished his mission with a success that will confer on him eternal honour. He is the first European who has seen regions scarcely known by name, where, before him, no one had been able or willing to venture ; and the results of his journey furnish materials for filling up immense chasms in the geography and history of the East. Some of the most important of these results, as they regard history, we have already made known from the monuments seen and drawn by M. Cailliaud, and of the existence of which we were, till now, ignorant. They elucidate the progress of events which affected those regions watered by the Nile, which are situate several hundred leagues beyond the southern frontiers of Egypt. The volumes containing the account of this journey, describe these countries both physically and ethnographically ; the nature of the soil, its natural productions, and those procured by agriculture ; the manners, usages, government, and language of the tribes which inhabit them ; —all are detailed from our traveller's own observations ; and he has, besides, as often as he had it in his power, determined, astronomi-



cally, the position of the principal places which he visited. A large map lays his route before us; and in this, that which strikes us most at the first glance is certainly the great number of towns and villages which cover, it may be said, each bank of the Nile, in these regions where, in fact, it is natural that the population should have flocked to the fertile shores of the river.

Before setting out for Upper Egypt and Abyssinia, M. Cailliaud proposed to visit the Oases of Egypt, and especially of Syouah, one of the most important of them. Arrived at Cairo, our traveller made his preparations for this excursion. Difficulties of every kind, and among them native superstition, as hostile as the climate and the desert, presented themselves on all sides. M. Cailliaud surmounted all. Belzoni had before been enabled to penetrate into these regions, by writing on paper magic characters, capable of confounding his enemies. M. Cailliaud professed himself as powerful a necromancer as Belzoni himself, and this happy expedient was employed at the very gates of Syouah, and when, after eighteen days of painful march, he was threatened with being obliged to retrace his steps, which he would have been forced to do had not his knowledge of the arts of magic persuaded his guide and the envoys of the Sheik. These procured for him the entry into the town, situated amidst a rich vegetation and verdure, produced by reservoirs and abundant springs. The Sheiks protected the traveller and his suite, but the populace, in spite of the ordinances of their chief, were in a general alarm. The people assembled in the public square. M. Cailliaud was sent to them: obliged to show his papers, he got off by exhibiting an old firman of the Pasha permitting him to visit the country of the Troglodytes. The sages of the place found it all in rule, and M. Cailliaud obtained permission to visit the antiquities, with the surveillance of guides assigned him by the Sheiks of Syouah. The perils incurred formerly by Colonel Boutin, who had happily escaped from Syouah, (but who was afterwards assassinated in Syria,) was anything but cheering to our traveller; but his prudence was in his favour. He visited the ruins, and made drawings of the most interesting of them, but he could not obtain permission to enter the holy island of Arachzelo, a place sacred to the Arabs of the Oases. The description of Syouah and its environs occupies the fifth, sixth, and seventh chapters of the first volume; the succeeding chapters relate to the other Oases visited by M. Cailliaud, such as Qasr, El-Bâoueyl, El Hayz, El Farâfreh, El Dahhel, El Kargeh, &c. But receiving intelligence that an expedition against Dongolah was in contemplation, he hastened to return to Cairo. He found Ismael Pasha there, and immediately began his preparations to accompany him to Nubia. After some delays, inseparable from an undertaking of this nature, and of which M. Cailliaud availed himself to explore

some places of Upper Egypt, he at last set out in the direction of Syene. Although at first regarded with favour by Ismael, some intriguing enemies of M. Cailliaud soon changed the feelings of the Pasha towards him, and he was sent back to Cairo. Not allowing himself to despair, M. Cailliaud had recourse to the protection of Mahomed Ali, and a new firman authorized him to follow the army of Nubia.

He made his ultimate provisions at Syene, and on the 20th of December 1820, he set out for the last place with M. Letorzee, a midshipman of the French navy, who was his faithful companion during the whole of this second journey. An army of three thousand men had gone before, and our travellers availed themselves skilfully of its conquests to explore them with advantage to the sciences. In this manner they saw, for the first time, the countries of the Barabrah, Kardaskh, Kircheh, Ipsamboul, Ouady-Halfah, Semneh, the isle of Says, Soleb, the isle of Argo; they were then in Dongolah, and they beheld in all parts ruins of Christian or Coptic buildings by the side of ancient Egyptian constructions. We have already made known the nature and date of the most important of these ruins, in articles devoted to the plates of M. Cailliaud's *Travels*: it will suffice, therefore, if we add, in this place, that our readers will find, in the text of the two first volumes, the local descriptions, the itineraries, and remarks of all kinds, to make the description of these interesting districts complete. Our traveller imparts to his readers his surprise and his emotions at the many unexpected wonders he beheld, and they partake of his feelings with lively interest, when with him they contemplate the Pyramids and the grand monuments of Mount Barkal, those of Nouri, new cataracts of the Nile; the scite of that ancient Meroe, the same which D'Anyville, in his prescience, had marked, and which M. Cailliaud is the first actually to recognize; ancient towns, with houses yet standing; on all sides remains of the magnificence of Egypt, where history does not inform us that her power had penetrated; and all these descriptions are mingled with that of the movements of a conquering army of Egypt, depriving the peaceable population of their lands, so little calculated to satisfy the ambition of its chiefs. It is in the midst of these disorders that M. Cailliaud arrives at last at the White River; he determines the latitude of its junction; he ascends the Blue River to visit Solah, and still accompanying the army, penetrates at last into Sennaar. In the 34th chapter he gives the chronology of the kings of the country, from 1484 to 1821, when the last prince was dispossessed by Ismael Pasha. When this chief had made sure of this object, he pushed on farther to the south, in the confidence, unfortunately fallacious, of discovering abundant mines of gold. M. Cailliaud sought there, and found riches of another sort; and these we propose to make

known in our article, which still remains for us to give on the plates, which accompany the narration. The 39th chapter of the text is an account of the circumstances, in a military point of view, which attended the occupation of the province of Fazoql. It is in these countries, the most distant from Egypt, that M. Cailliaud observed in the usages, dress, arms, and furniture of the present inhabitants, evident traces of customs quite similar to those of ancient Egypt, as they appear on the most ancient monuments: he there observed also the black Ibis and the sacred Scarabeus of the Egyptians, unknown in Egypt, but existing still in Upper Nubia. Observations of this kind are real historical documents, and afford certain data, which corroborate the written evidences; according to which, ancient Egypt, instead of having ascended the course of the Nile, as some writers of systems maintain, on the contrary descended with the Nile, towards the Mediterranean, carrying with it its civilization and public institutions from Nubia itself. This is not one of the least important results of the observations made by M. Cailliaud: he has neglected nothing which could serve to make us completely acquainted with the countries which he visited at the risk of his life, and which the trouble in which they are involved at present will not, perhaps, permit travellers again to see for some time to come.

M. Cailliaud has also collected vocabularies of these countries, which he has published at the end of his narrations. The two first volumes contain three of these vocabularies; and the map, which he has traced, after his own observations, has enriched the geography of Africa with a number of indications of places which were wanting to it. These show how much historical science is indebted to the French traveller. We propose to follow him in a future article to the farthest point of his excursions. There still remain new countries for us to traverse with him, but we will not close this notice without rendering to M. Cailliaud full justice for his noble devotion to the object of his mission, so fraught with peril, and for the clear and simple manner in which he has given the account of it to the public. His work contains all that can captivate the attention and excite the curiosity, and deserve the acknowledgments both of the learned, and of those who seek an agreeable recreation in a sort of reading which is at once instructive and amusing.

## VARIOUS ACCOUNTS OF A PETRIFIED CITY IN AFRICA.

*To the Editor of the Oriental Herald.*

SIR—The 'petrified forest of several miles in length, through which Colonel Boutin was conducted,' \* and which he could not prevail on your English traveller to explore, was, I apprehend, at no great distance from the petrified city discovered by Baumgarten, whose *Peragrinatio* commenced in 1507, and was published in 1597, according to Dr. Shaw's *Travels* (1757. i. pt. 3. p. 163.)

This marvellous tale was confirmed, early in the 17th century, by a 'Memorial of Cassim Aga, the Tripoli ambassador at the Court of Great Britain, concerning the petrified city in Africa, two days' journey south from Orguela, and seventeen days' journey from Tripoli, by caravan, to the south-east.'

This memorial was preserved by Dr. Shaw, and since given, as a curiosity, in the *Gentleman's Magazine*, (xvii. 436.) The ambassador relies on what he had 'heard from different persons, and particularly from the mouth of one man of credit, who had been on the spot.' This visitor related:

'That it was a very spacious city, of a round form, having great and small streets therein, furnished with shops, with a vast castle magnificently built; that he had seen there several sorts of trees, the most part olives and palms, all of stone, and of a blue, or rather, lead colour.

'That he saw also figures of men, in a posture of exercising their different employments; some holding in their hands staffs, others bread, every one doing something; even women suckling their children, all of stone.

'That he went into the castle, by three different gates, though there were many more, where he saw a man lying upon a bed, all of stone.

'That there were guards at the gates, with pikes and javelins in their hands. In short, that he saw in this wonderful place many sorts of animals; as camels, oxen, horses, asses, sheep and birds, all of stone, and of the colour above-mentioned.'

A description, in substance the same, was received by Kircher, through a Vice-Chancellor of the Knights of Malta, from a young captive Ethiopian, who, in 1634, was brought to Malta, baptized, and at length became an archdeacon. The learned Jesuit, whom a biographer admits to have been 'une peu visionnaire,† has a

\* See 'Oriental Herald,' vol. xiii. p. 465.—This is the Colonel Boutin spoken of in the preceding article on Nubian Discoveries.

† 'Tout ce qui portoit l'empreinte de l'antiquité, étoit divin à ses yeux. Cette manie l'exposa à quelques tours plaisans. On dit que des jeunes gens ayant dessein de se divertir à ses dépens, firent graver sur une pierre informe plusieurs gravures de fantaisie et enterrent cette pierre dans un endroit où ils savoient qu'on devoit bâtir dans peu. On fouilla effectivement dans ce lieu quelque tems après, et on trouva la pierre,

chapter in his *Mundus Subterraneus*, (1665, ii. 50,) entitled, *Varia rerum in lapides conversarum observationes*. In this chapter on petrifications, he introduces the *Admirabilis Historia de civitate Africæ, in saxum, und cum incolis et animalibus conversæ*; on the Ethiopic authority I have just described.

The story of the petrified city, after remaining, uncontradicted, for more than a century, in the prose, both of an ancient and modern tongue, was at length dignified by the muse of Thomson. From the second edition of '*Summer*,' (1730,) the only edition where it appeared, I quote the following description; forming part of a digression on the 'hot, inhospitable sands of Africa,' and the tempests which disperse them over the 'horrid desert' of Barca and Zaara:

'Hence, late exposed, (if distant fame says true,)  
A smother'd city from the sandy wave  
Emergent rose; with olive fields around,  
Fresh woods, reclining herds, and silent flocks,  
Amusing all, and incorrupted seen.  
For, by the nitrous penetrating salts,  
Mix'd copious with the sand, pierced, and preserved,  
Each object hardens gradual into stone,  
Its posture fixes, and its colour keeps.  
The statue-folk, within, unnumber'd crowd  
The streets, in various attitudes surprised  
By sudden fate, and live on ev'ry face  
The passions caught beyond the sculptor's art.  
Here, leaning soft, the marble lovers stand,  
Delighted even in death; and each for each  
Feeling alone, with that expressive look  
Which perfect nature only knows to give.  
And there the father agonizing bends  
Fond o'er his weeping wife, and infant train  
Aghast, and trembling, though they know not why.  
The stiffened vulgar stretch their arms to Heaven,  
With horror staring; while in council deep,  
Assembled full, the hoary-headed sires  
Sit sadly—thoughtful of the public fate.

qu' on porta au Père Kircher, comme une chose merveilleuse. L'érudit, ravi de joie, travailla alors avec ardeur à l'explication des caractères qu'elle contenoit, et parvint enfin, après bien de l'application, à leur donner le plus beau sens du monde.

'Menckenius raconte du même Jésuite une histoire qui n'est pas moins amusante. Un des amis de ce Père lui présenta une feuille de papier de la Chine, sur lequel il avoit inscrit des caractères, qui parurent d'abord tout à fait inconnus au P. Kircher. Après bien des peines perdues, un jour ce même ami vint faire l'aveu de son imposture au bon Père; et ayant aussi-tôt présenté ce papier mystérieux au miroir, le savant Jésuite y reconnut facilement des caractères Lombards, qui ne l'avoient si fort embarrassé, que parce qu'ils étoient écrits à l'envers.'—*Nouv. Dict. Hist.* (1789,) v. 96.

As when old Rome, beneath the raging Gaul,  
Sunk her proud turrets, resolute on death,  
Around the forum sat the grey divan  
Of senators, majestic, motionless,  
With ivory staves, and in their awful robes  
Dress'd like the falling fathers of mankind;  
Amazed and shivering, from the solemn sight  
The rude barbarians shrunk, and deem'd them Gods.'

Thomson may have read Kircher, or seen the Memorial of Cassim Aga, if he had not met with the *Peregrinatio* of Baumgarten, for the knowledge of which I am entirely indebted to Dr. Shaw.

That traveller had paid so much attention to this story, as to correspond on the subject with M. Le Maire, who, when consul at Tripoli, 40 years before, had minutely investigated the account 'by order of the French court.' On his authority, Dr. Shaw concludes that 'the petrified city, with its walls, castles, streets, shops, cattle, inhabitants, and their utensils, were all of them at first the mere fables and inventions of the Arabs, and afterwards propagated by such persons who, like the Tripoli ambassador and his friend, were credulous enough to believe them.'

Dr. Shaw returned to England in 1733, and first published his Travels in 1738. Thomson, on such sufficient authority for unbelief, would become dissatisfied with the report of 'distant fame.' He did not, indeed, sing his *palinodia*, but, in the next edition, he ceased to sing of the petrified city.

There is another passage of the '*Summer*' which never appeared but once. I now quote it from the original separate edition (1727,) where it immediately follows the panegyric on the Worthies of England:

'And should I northward turn my filial eye,  
Beyond the Tweed, pure parent stream! to where  
The hyperborean ocean, furious, foams  
O'er Orca, or Betubium's highest peak;  
Rapt, I might sing thy Caledonian sons,  
A gallant, warlike, unsubmitting race!  
Nor less in learning versed, soon as he took,  
Before the Gothic rage, his western flight;  
Wise in the council, at the banquet gay,  
The pride of honour burning in their breasts,  
And glory not to their own realms confined,  
But into foreign countries shooting far,  
As over Europe bursts the Boreal morn.'

It is difficult to say why this filial tribute was withdrawn. Perhaps the poet became unreasonably apprehensive lest he should incur the charge of fond nationality, in singing the praises of Scotland—a country unfortunate in having produced the *Stuarts*, yet always honoured and honourable as the country of Wallace, and still more, as the native land of Napier, Fletcher, and Buchanan.

N. L. T.

# DESCRIPTIONS IN OLD AUTHORS OF EAST INDIAN VOYAGES.

To the Editor of the *Oriental Herald*.

SIR,

June 6, 1827.

MR. WHITMORE describes from Dr. Johnson 'the term calico' as 'derived from Calicut;'\* and Johnson's example is from the *Spectator*, where a lady says: 'I wear the hoop petticoat, and all in calicoes; when the finest are in silks.' For this derivation of the term there is a much earlier authority, now before me: in a reprint (1787) of 'a Voyage to East India' in 1615, published in 1655 by Edward Terrey, chaplain to Sir Thomas Rowe, ambassador to the Great Mogul; at whose court he spent 'more than two years.' This not incurious voyager gives the following among the instructive results of his observation:

'The most staple commodities of this empire are indigo and cotton-wool; of that wool they make divers sorts of calico, which had that name, as I suppose, from Calicute, not far from Goa, where that kind of cloth was first bought by the Portuguese.' (p. 105.)

'For their cotton-wool, they sow seed, and very large quantities of ground in East India are thus seeded. Of this cotton-wool they make divers sorts of white cloth, some broad, some narrow, some coarse, some fine, and very fine indeed, for some that I have seen there, I believe, was as fine as the purest lawn; much of the coarser sort of that cloth they dye into colours, or else stain in it a variety of well-shaped and well-coloured flowers or figures, which are so fixed in the cloth that no water can wash them out. That pretty art of staining, or printing and fixing those varieties of colours in that white cloth, the people of Asia have engrossed to themselves, where the most curious pintadoes are made; whether neighbouring, as well as more remote nations, bring their money to fetch them thence.' (p. 108.)

'The natives show very much ingenuity in their curious manufactures; as in their silk stuffs, which they most artificially weave, some of them very neatly mingled, either with silver or gold, or both. As also in making excellent quilts of their stained cloth, or of fresh coloured taffata lined with their pintadoes, or of their satin lined with taffata, betwixt which they put cotton-wool, and work them together with silk. They make likewise excellent carpets of their cotton-wool; in fine mingled colours, some of them more than three yards broad, and of a great length.' (p. 127.)

One of the sermons of this voyager, mentioned by Wood, preserves a record of early English East India commerce. It is entitled: 'The Merchant's and Mariner's preservation and thanksgiving, preached 6th Sept, 1649, to the East India Company, upon a late return of their ships, on *Psal. cxvii. 30, 31*.'

\* See '*Oriental Herald*,' vol. xiii. p. 629.

The following early notices, which I observed lately, when examining the diurnals of the seventeenth century, on a very different subject, may here be suitable accompaniments. I shall be gratified, should the example dispose any of your readers, amidst researches for themselves, to be occasionally purveyors for your collection of Anglo-Oriental antiquities; which may thus, in time, become very extensive.

'1655, May 5. We had news of the arrival of the ship *Welcome* from the Indias, whose cargaison is as followeth: 80 bales of cotton-yarn, 300 bales of sugar, 750 bales of salt-peter, 70 bales of Agra indico, 70 bales of Cirques indico, 40 bales of Persia raw silks, 66 bales of cardamum, 81000 pounds of Malabar pepper.' *Perfect Proceedings of State Affairs*, No. 293.

'June 26, 1655. There are two East India ships come home to England, the *Christopher*, belonging to the Company, and the *Allom* frigot, belonging to private persons, richly laden with silks, pepper, sugar, callicoës, salt-peter, drugs &c. The *Jonathan*, a third, is about Leghorn, trading there by the way, which gives great offence, both in abuse to the English trade, and to acquaint them with the East India trade, and many waies of evill consequence to England. Let others take heed of doing the like, lest they suffer.' *Ibid.* No. 300.

I know not whether this early importation of sugar from the East be generally known. Edward Terrey, whom I may perhaps again introduce to your notice, says, there is 'abundance of sugar growing in that country, which, after it is well refined, may be there had at a very low rate; out of which they make a very pure white sugar-candy, which may be had there at a small easy price likewise.' He further describes 'coarse sugar,' mingled with 'a kind of round grain they call donna, somewhat bigger than our tares, which they give unto them boiled, as forming the provinder, which keeps their horses in heart and in flesh.' He says of indigo, (p. 108,) 'the best sort comes from Biana, near unto Agra, and a coarser sort is made at Cirkeese, not far from Amadanaz.'

10 This voyager describes 'that most ancient and innocent drink of water,' as 'the common drinck of East India,' and that 'many of the people there, who are strict in their religion, drink no wine at all; but they use a liquor, more wholesome than pleasant, they call coffee, made by a black seed, boiled in water, which turns it almost into the same colour.' I have not observed, through this *Voyage*, any notice of tea. In the former century, James Bontius, a Dutch physician, who died in 1599, and is described as *apud Indos nuper Medicus*, mentions, in a treatise *de conservanda valetudine*, the serving up of tea in India, as a token of hospitality, on the arrival or departure of a guest, as by the Turks the presentation of coffee: *Inde Thee potu hospites, venientes et abeuntes excipiunt, ut Turcæ, Cava.*



This information I owe to the *liber singularis* of the learned Tomasius, *de leporibus hospitalitatis* (1670, p. 179.)

You are surely right, as to 'some error' in the account received by Mr. Brougham, that once 'in India they imported the raw material.\* The large cultivation of cotton described in Terrey's *voyage*, renders this highly improbable; nor can it be supposed as to the first arrival, in 1655, that raw cotton was then sent out to India merely to be returned in cotton-yarn. At what subsequent period could such an exportation of the raw material from Britain have occurred?

The introduction of calico printing into England was in 1676; I think from Flanders. There is a tradition that Bromley Hall, in Middlesex, (of which I have some social recollections,) where the plant was dispersed only two or three years since, was the first factory. A large calico ground on a scite, now the Surrey side of Waterloo Bridge, I have often visited; *sed tempora mutantur*. I was then a boy; but I have since advanced through and declined more than half a century.

SENILIUS.

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*The following Inscription to the new Governor-General of India has been inserted in the Daily Papers, as from the pen of Captain Roxco.*

INDIS  
JUSTITIA ET PAX;  
INDOQUE PRÆSIDENTIBUS PATO  
LUSTRUM;  
BRITANNIÆ, INDORUMQUE EMULIS  
DEJECTIO;  
ANGLORUM LIBERALI ADMINISTRATIONI  
SUBLIME PRÆSIDENTIÆ  
SPECIMEN;  
PRÆCLARO GEORGIO IV. REGI  
VIRTUTIS FIRMIQUE ANIMI  
MONUMENTUM;  
IN LORD WILLIAM CAVENDISH BENTINCK  
BENGAL GUBERNATORIS  
INSTALLATIONE.

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\* See Oriental Herald, vol. xiii. p. 646.

## ROYAL ASIATIC SOCIETY OF GREAT BRITAIN AND IRELAND.

It has been from no indifference to the objects of the Institution, that we have hitherto not given its proceedings a place in our pages; but from these proceedings finding a *full* publication in the Volumes of their Transactions, published by the Society itself, and being, in the abridged state in which they are given in the Periodical Journals, scarcely more than a record of the day and hour of meeting, the names of the parties attending, and the titles of the papers read—all which may be very interesting to some persons, but is not sufficiently so to us to merit repetition. Now, however, when we have before us something of more *general* interest, we embrace the opportunity of assisting the views of the Society in disseminating their prospectus and circular letter to all corners of the Eastern world, to which this publication now reaches. The circular is intended to be addressed to the most intelligent or distinguished persons at all the principal towns of Asia; and if successful in obtaining the Society's object in only a tenth of the whole number, will still produce very beneficial results. The document is as follows:

Royal Asiatic Society's House,  
14, Grafton Street, London.

Sir,

The Royal Asiatic Society of Great Britain and Ireland, has appointed us a Committee for Foreign Correspondence, with the view to opening a constant and easy channel of communication, between the society in England, and individuals, who cultivate a taste for the arts, sciences, and polite literature, but are either from circumstances of public duty, or from motives of private convenience, permanently stationed or temporarily residing in various quarters of the world.

Classing you with those enlightened persons, who view with interest and complacency, any attempt towards the advancement of science or the diffusion of useful knowledge, we hasten to apprise you of our formation, while we venture to solicit your powerful aid and active co-operation towards effecting the objects of the society's research.

These objects are fully detailed in the documents we take the liberty to enclose, and as we confidently trust you will excuse the freedom of this intrusion upon your leisure, so we sincerely hope you will permit us the honour of enrolling your name among the number of our distinguished correspondents.

Indulging the expectation of a favourable reply at your early convenience. We have the honour to be, Sir, with high consideration, your obedient servants.

*Committee of Correspondence.*—*Chairman:* Sir Alexander Johnston, Knt., V.P.R.A.S. F.R.S. F.S.A. F.L.S.—*Deputy-Chairmen:* Sir George Thomas Staunton, Bart., V.P.R.A.S. F.R.S. F.S.A.; Lieut.-Col. Charles Joseph Doyle, M.A.S. Cal.

*Committee:* Whitelaw Ainslie, Esq., M.D. M.A.S. Cal.; B. G. Babington, M. B. M.LIT.S. Mad.; Lieut.-Col. William Blackburne; Richard Clarke, Esq., M.LIT. S. Mad.; Lieut.-Col. John Monckton Coombs; Lieutenant-Col. George Fitzclarence, F.R.S. F.S.A.; Major-Gen. Thomas Hardwicke, F.R.S. F.L.S. M.A.S. Cal.; John Hodgson, Esq. M.LIT. S. Mad.; Andrew Macklew, Esq.;

Colonel George Raban, C.B.; Lieut.-Col. James Tod, M.A.S. Cal.; William Henry Trant, Esq. M.A.S. Cal.; Edward Upham, Esq.—*Secretary*: Mr. William Huttman.

The special objects of the Committee of Correspondence are, to receive intelligence and inquiries relating to the Arts, Sciences, and Literature of Asia, and to furnish applicants with such information on those subjects as they may require. Any person not residing in the British dominions in Europe, who has communicated valuable information to the Royal Asiatic Society, may be elected one of its corresponding members.

### PROSPECTUS.

It has often been a subject of surprise, that a Society for the Advancement of Oriental Literary Knowledge, upon the principle of that which has existed so long, and with such distinguished success, in Bengal, should not have been established in London, by the numerous and respectable persons who have returned from India. It were impossible to conceive a more congenial and satisfactory employment of their leisure, than in fostering and promoting these interests, to the support of which the early part of their lives had been dedicated.

Oriental Literature constituted at one time a research of a peculiar attraction, and was engaged in with an ardour, correspondent to the interest felt in investigating the attainments of an ancient and civilized people, newly connected with Great Britain. The result may not fully have answered the expectations entertained, but the field still presents some important and interesting objects of inquiry, deserving the attention of the philosopher and the antiquary. There is much reason to hope, that, at no distant period, this labour may be shared by intelligent natives of the East, incited to follow up researches into their own history, literature, and antiquities.

The literature of the Chinese, in particular, is yet, with few exceptions, untrodden ground in Great Britain. A very small portion has been brought in any shape before the public. Detailed translations of works of local interest may not be desirable: but a Society established for the promotion of Oriental knowledge, may afford encouragement to the researches of those who are now pursuing this difficult study, by aid of the valuable dictionaries published under the munificent patronage of the East India Company; and its transactions may become the receptacle for communications of great interest, respecting the existing state of arts and literature in China, and the countries connected with, and adopting the language of, that extensive and least known part of Asia.

The extended intercourse and connexion which, of late years, have taken place generally between the natives of Europe and Asia, and the growing intimacy between that country and England, have occasioned the development of new subjects of interest, which possess a strong claim to the consideration, not only of the British community, but of all the nations of the western hemisphere, and may be expected to lead to results reciprocally beneficial.

It is obvious that the advantage of this intercourse may be rendered essentially conducive to the interests of science and literature by an association of intelligent persons, who, combining local experience with comprehensive knowledge, may lead the public mind to a just appreciation of the solid advantages to be derived from the connexion, and facilitate the advancement of Oriental literature, the diffusion of general knowledge, and the interchange of every thing that may contribute to the welfare and happiness of mankind.

It were superfluous to speak of the improved arts which Asia may derive from her intercourse with Europe; but, as an example of the benefits that may be expected from a more extensive acquaintance with the practical arts of Asia, it may be instanced, that an agricultural drilling machine has been in immemorial use in many provinces of India, although an instrument of the same name is of modern invention in Europe.

Many eminent establishments already exist; associations of scientific persons for the promotion of natural knowledge, and a distinguished Society for the En-

commitment of Arts, Manufactures, and Commerce, at home and abroad. It is not intended to interfere with the views and proceedings of these, or of Associations for promoting Education in the East. The purpose is, to found a Society upon an enlarged basis, that may embrace the views, and be adapted to the pursuits, of all persons whom it may be desirable to associate, whether their tastes should lead them into historical and antiquarian research—to the study of existing arts, institutions, and manners—to the diffusion of European acquirements—or to the improvement of an acquaintance with the resources of those distant countries, of which it might be desirable to avail ourselves.

Honorary medals will be proffered by the Society for communications of useful information, or important discoveries, connected with the objects which it is within the province of the Society to promote. Voluntary donations towards defraying the expense of rewards to be offered for useful inventions and discoveries, applicable to Indian objects, will constitute a separate fund.

It is proposed to publish the Transactions of the Society from time to time; and it is hoped that the volumes of the Society may become the means of preserving much valuable information, which, from the want of a suitable channel of publication, is now exposed to neglect and loss.

#### MR. COLEBROOKE'S INAUGURAL DISCOURSE.

Called by the indulgence of this meeting to a chair which I could have wished to have seen more worthily filled, upon so interesting an occasion as the first general meeting of a Society, instituted for the important purpose of the advancement of knowledge in relation to Asia, I shall, with your permission, detain you a little from the special business of the day, while I draw your more particular attention to the objects of the Institution, for the furtherance of which we are now assembled.

To those countries of Asia, in which civilization may be justly considered to have had its origin, or to have attained its earliest growth, the rest of the civilized world owes a large debt of gratitude, which it cannot but be solicitous to repay; and England, as most advanced in refinement, is, for that very cause, the most beholden; and, by acquisition of dominion in the East, is bound by a yet closer tie. As Englishmen, we participate in the earnest wish, that this duty may be fulfilled and that obligation requited; and we share in the anxious desire of contributing to such a happy result, by promoting an interchange of benefits, and returning in an improved state that which was received in a ruder form.

But improvement, to be efficient, must be adapted to the actual condition of things; and hence a necessity for exact information of all that is there known, which belongs to science; and all that is there practised, which appertains to arts.

Be it then our part to investigate the sciences of Asia; and inquire into the arts of the East, with the hope of facilitating ameliorations, of which they may be found susceptible.

In the progress of such researches, it is not perhaps too much to expect, that something may yet be gleaned for the advancement of knowledge and improvement of arts at home. In many recent instances, inventive faculties have been tasked to devise anew, what might have been as readily copied from an Oriental type; or unacknowledged imitation has reproduced in Europe, with an air of novelty, what had been for ages familiar in the East. Nor is that source to be considered as already exhausted. In beauty of fabric, in simplicity of process, there possibly yet remains something to be learnt from China, from Japan, from India, which the refinement of Europe need not disdain.

The characteristic of the arts in Asia is simplicity. With rude implements, and by coarse means, arduous tasks have been achieved, and the most finished results have been obtained, which, for a long period, were scarcely equalled, and have but recently been surpassed, by polished artifice and refined skill, in Europe. Were it a question of mere curiosity, it might yet be worth the inquiry, what were the rude means by which such things have been accomplished? The question, however, is not a mere idle one. It may be investigated with confidence that a useful answer will be derived. If it do not point to the way of perfecting European skill, it assuredly will to that of augmenting Asiatic attainments.

The course of inquiry into the arts, as into the sciences of Asia, cannot fail of leading to much which is curious and instructive. The inquiry extends over regions, the most anciently and the most numerous peopled on the globe. The range of research is as wide as those regions are vast; and as various as the people who inhabit them are diversified. It embraces their ancient and modern history; their civil polity; their long-enduring institutions; their manners and their customs; their languages and their literature; their sciences, speculative and practical; in short, the progress of knowledge among them; the pitch which it has attained; and last, but most important, the means of its extension.

In speaking of the history of Asiatic nations (and it is in Asia that the recorded and authentic history of mankind commences), I do not refer merely to the succession of political struggles, national conflicts, and warlike achievements; but rather to less conspicuous, yet more important, occurrences, which directly concern the structure of society,—the civil institutions of nations, their internal, more than their external relations; and the yet less prominent, but more momentous events, which affect society universally, and advance it in the scale of civilized society.

It is the history of the human mind, which is most diligently to be investigated; the discoveries of the wise; the inventions of the ingenious; and the contrivances of the skilful.

Nothing which has much engaged the thoughts of man is foreign to our inquiry, within the local limits which we have prescribed to it. We do not exclude from our research the political transactions of Asiatic states, nor the lucubrations of Asiatic philosophers. The first are necessarily connected, in no small degree, with the history of the progress of society; the latter have great influence on the literary, the speculative, and the practical avocations of men.

Nor is the ascertainment of any fact to be considered destitute of use. The aberrations of the human mind are a part of its history. It is neither uninteresting nor useless to ascertain what it is that ingenious men have done; and contemplative minds have thought, in former times, even where they have erred; especially where their error has been graced by elegance, or restrained by tasteful fancy.

Mythology, then, however futile, must, for those reasons, be noticed. It influences the manners, it pervades the literature, of the nations which have admitted it.

The philosophy of ancient times must be studied; though it be the edifice of large inference, raised on the scanty ground of assumed premises. Such as it is, most assiduously has it been cultivated by Oriental nations, from the further India to Asiatic Greece. The more it is investigated, the more intimate will the relation be found between the philosophy of Greece and that of India. Whichever is the type, or the copy, whichever has borrowed, or has lent, certain it is, that the one will serve to elucidate the other. The philosophy of India may be employed for a commentary on that of Greece; and, conversely, Grecian philosophy will help to explain Indian. That of Arabia, too, avowedly copied from the Grecian model, has preserved much which else might have been lost: A part has been restored through the medium of translation; and more may yet be retrieved from Arabic stores.

The ancient language of India, the polished Sanscrit, not unallied to Greek and various other languages of Europe, may yet contribute something to their elucidation, and still more to the not unimportant subject of general grammar. Though Attic taste be wanting in the literary performances of Asia, they are not, on that sole ground, to be utterly neglected. Much that is interesting may yet be elicited from Arabic and Sanscrit lore, from Arabian and Indian antiquities.

Connected as those highly polished and refined languages are with other tongues, they deserve to be studied for the sake of the particular dialects and idioms to which they bear relation; for their own sake, that is, for the literature which appertains to them; and for the analysis of language in general, which has been unsuccessfully attempted on too narrow ground, but may be prosecuted with effect upon wider induction.

The same is to be said of Chinese literature and the Chinese language. This

field of research; which is now open to us, may be cultivated with confident reliance on a successful result; making us better acquainted with a singular people, whose manners, institutions, opinions, arts, and productions, differ most widely from those of the West; and through them, perhaps, with other tribes of Tartaric race, still more singular, and still less known.

Wide as is the geographical extent of the region, to which primarily our attention is directed, and from which our association has taken its designation, the range of our research is not confined to those geographical limits. Western Asia has, in all times, maintained intimate relation with contiguous, and not unfrequently with distant countries: and that connexion will justify, and often render necessary, excursive disquisition beyond its bounds. We may lay claim to many Grecian topics, as bearing relation to Asiatic Greece; to numerous topics of yet higher interest, connected with Syria, with Chaldaea, with Palestine. Arabian literature will conduct us still further. Wherever it has followed the footsteps of Moslem conquest, inquiry will pursue its trace. Attending the Arabs in Egypt, the Moors in Africa; accompanying these into Spain, and cultivated there with assiduity, it must be investigated without the exclusion of any country into which it made its way.

Neither are our researches limited to the old continent, nor to the history and pursuits of ancient times. Modern enterprise has added to the known world a second Asiatic continent, which British colonies have annexed to the British domain. The situation of Austral Asia connects it with the Indian Archipelago. Its occupation by English colonies brings it in relation with British India. Of that new country, where every thing is strange, much is yet to be learnt. Its singular physical geography, its peculiar productions, the phenomena of its climate, present numerous subjects of inquiry: and various difficulties are to be overcome, in the solution of the problem of adapting the arts of Europe to the novel situation of that distant territory. The Royal Asiatic Society of Great Britain will contribute its aid towards the accomplishment of those important objects.

Remote as are the regions to which our attention is turned, no country enjoys greater advantages than Great Britain for conducting inquiries respecting them. Possessing a great Asiatic empire, its influence extends far beyond its direct and local authority. Both within its territorial limits and without them, the public functionaries have occasion for acquiring varied information, and correct knowledge of the people and of the country. Political transactions, operations of war, relations of commerce, the pursuits of business, the enterprise of curiosity, the desire of scientific acquirements, carry British subjects to the most distant and the most secluded spots. Their duties, their professions, lead them abroad: and they avail themselves of opportunity, thus afforded, for the acquisition of accurate acquaintance with matters presented to their notice. One requisite is there wanting, as long since remarked by the venerable founder of the Asiatic Society of Bengal; it is leisure: but that is enjoyed on their return to their native country. Here may be arranged the treasured knowledge which they bring with them; the written or the remembered information which they have gathered. Here are preserved, in public and private repositories, manuscript books collected in the East; exempt from the prompt decay which would there have overtaken them. Here, too, are preserved in the archives of families, the manuscript observations of individuals, whose diffidence has prevented them from giving to the public the fruits of their labours in a detached form.

An Association, established in Great Britain, with views analogous to those for which the parent Society of Bengal was instituted, and which, happily, are adopted by Societies which have arisen at other British stations in Asia, at Bombay, at Madras, at Bencoolen, will furnish inducement to those who, during their sojourn abroad, have contributed their efforts for the promotion of knowledge, to continue their exertions after their return. It will serve to assemble scattered materials, which are now liable to be lost to the public for want of a vehicle of publication. It will lead to a more diligent examination of the treasures of Oriental literature, preserved in public and private libraries. In cordial co-operation with the existing Societies of India, it will assist their labours, and will be assisted by them. It will tend to an object, first in importance—the increase of knowledge in Asia, by diffusion of European science. And whence can this be so effectually done, as from Great Britain?

For such purposes we are associated ; and to such ends our efforts are directed. To further these objects we are now assembled : and the measures which will be proposed to you, Gentlemen, are designed for the commencement of a course which, I confidently trust, may, in its progress, be eminently successful, and largely contribute to the augmented enjoyments of the innumerable people subject to British sway abroad, and (with humility and deference be it spoken, yet not without aspiration after public usefulness) conspicuously tend to British prosperity, as connected with Asia.

### THE POET'S HYMN TO LOVE.

*'Spirat Amor.'*

THAT thou hast moved the tuneful tongues  
Of other bards, restrains me not,  
Immortal Love ! in meaner songs—  
Doom'd soon, perchance, to be forgot—  
From wrapping all thy quenchless fire  
In words that scorch my venturous lyre.

Why dost thou roam the mountain-side,  
The briery glen, the scented vale,  
And nestle with the future bride  
Of some poor carle, at evening pale ;  
While oft thy wanton proxy reigns  
Lord of the City's bosom-pains ?

Where dost thou press thy dreamy brows,  
On what young beauty's fluttering breast ?  
Or what bewildered youth allows  
Thy form to make his heart its nest ?  
Tell me, wild God ! for I would be  
The home for all thy pains and thee !

Think not, thou jealous power ! my soul,  
In wandering oft to Learning's bowers,  
Seeks to escape thy sweet control :  
The wild bee first shall shun the flowers  
That droop upon the cheek of Spring,  
With dew the dusky night doth bring.

Ah ! linger near my studious cell,  
As if some new-loved Psyche there  
Panted for night, to hear thee tell  
Her lips how sweet, her form how fair !  
And from Minerva let me flee  
To waste night's balmy hours with thee.

Or, why not pass the silent door,  
To where in solemn pomp repose  
The prison'd thoughts that shed of yore  
A light round Milton's towering brows ?  
Thy gladsome eye is brighter far  
Than Cynosure, or Folding star.

No more :—thou shalt imprisoned be  
Within my wild, my burning heart ;  
Nay, till this soul prepare to fly  
From earth's beloved haunts, depart :  
Nay still, if Death's fierce alchemy  
My soul resist, 'twill cling to thee.

S.

## SUMMARY OF THE LATEST INTELLIGENCE CONNECTED WITH THE EASTERN WORLD.

THE latest arrivals from India bring papers to the middle of March: but owing to the unfavourable season for passages from that country, and other accidental causes, the arrivals have been most irregular, and there are still several ships due, which sailed even in January and February. From such papers as have reached us from each of the principal Presidencies, we have made very copious selections; and, having now another channel for the discussion of European topics in the SPHYNX, we shall endeavour to make the ORIENTAL HERALD more exclusively Indian than it has hitherto been, retaining only such occasional intermixture of other matter, as may be thought necessary to maintain that variety, without which no publication can long retain its general popularity.

The political aspect of affairs in India begins to assume an appearance of greater tranquillity than it has for some time borne. The campaign in Ava is at an end, and the slight indications which appeared of a probable renewal of hostilities in that quarter have all subsided. That the conquest was dearly bought, if not altogether worthless, we have always thought; and nothing has yet occurred to change that opinion. Some apprehensions were entertained, just at the conclusion of this war, that hostilities would commence in the very opposite extremity of India, towards the north-west frontier: and a Persian and Russian campaign was seriously anticipated. This expectation, however, which our Indian army would have had no objection to see realized, has also passed away. The skirmishes between the Russians and Persians are nearly, if not entirely, at an end; and be their issue what they may, we do not think they will, in the slightest degree, affect the safety or tranquillity of our Eastern empire.

In Bengal, the tour of the Governor-General through the Upper Provinces, is the principal topic of interest: and some details of this are given in letters which have reached us from the camp. His approaching departure from India will leave fewer regrets, we believe, than any former abdication of the supreme power: and to his Lordship himself it must be a great relief, for we can hardly imagine a more painful situation than that of filling the highest seat among a people, without enjoying their respect or esteem. As was said by the 'Morning Chronicle' some years ago, of the Prince Regent, as successor to his father on the English throne, (though we hope we shall not, like Mr. Perry, be prosecuted for so saying,) we think that the successor of Lord Amherst, as Governor-General of India, will have the most glorious opportunity of becoming popular, by the mere contrast which he is likely to present to his pre-



decessor. Of Lord William Bentinck, we have often expressed our opinion: and we still continue to believe, that no fitter man could be found in England for the place he is about to fill. The reasons for this opinion are stated at large in an article, which we have thought it our duty to take from the *ΣΦΗΥΝΧ*, for the pages of this publication, where we desire to place it on record among the articles peculiarly belonging to India.

At Madras, both the Governor and people appear to pursue 'the even tenor of their way,' undisturbed by any remarkable events. The retirement of Sir Thomas Munro, and the accession to his seat of Mr. Lushington, the new Governor, may probably occasion some changes; but whether these will be beneficial or otherwise, remains to be seen. It would appear from the English papers, that Mr. Lushington's visit to Madras is a mere experiment on the score of health: and this is assigned in the newspaper of the city he represents, (*Canterbury*.) as the reason for retaining his seat in Parliament during his absence. If the climate of Madras should agree with his constitution, he will remain there: and then vacate his seat to another. If it should not agree with him, he will return and re-occupy the seat to be thus kept for him. Really, the representatives of the English people appear to have very odd notions of their duties: Can it be that they think their services in the House of so little value to their constituents when they are in it, that their being away from it for a few years, or even altogether, can be no loss to the electors or the country? If this be the ground on which they justify their absence, it would be honest at least to say so: and the House might then be thinned by granting one half of its leave of absence indefinitely, a proceeding, we believe, by which the national welfare would not suffer much.

At Bombay, the change of Governors will be likely to have one good effect, in breaking up, for a time at least, the organization of a party, of which Mr. Governor Elphinstone was, we believe, the head, to support the Service against the King's Court, and to throw odium on all the acts of the Chief Justice especially: a purpose to which we feel persuaded Sir John Malcolm will not so readily lend himself. In a preceding part of the present Number will be seen a letter from Bombay, describing the arts used to obtain popularity for the Governor on his quitting the settlement—which can only show how much he stands in need of artificial support. That the flatterers and dependents of Mr. Elphinstone should affect to feel very angry with the *Oriental Herald*, its Correspondents, and Editor, for exposing the true state of affairs at Bombay, can excite no wonder in the mind of any one, and creates only the sensation of pity in our own. The Bombay Courier may therefore go on, mingling with the dignified contributions of its eloquent and erudite correspondents, all the virulent abuse it can gather from the malignant and infuriated Editor of the *Calcutta John Bull*, and other

equally worthless sources, to gratify, by its repetition, the depraved tastes of its readers. It may be very gratifying to certain individuals in Bombay to indulge in this sort of personal and individual hostility to one who cannot be awed into silence by their frowns or their calumnies: but here, in England, such a course excite only feelings of contempt and disgust:—and therefore it is that we have long since ceased to regard these ebullitions of incessant hatred, knowing well that it is that in which we most glory, an unawed and fearless perseverance in what we hold to be a righteous course, that alone occasions them. They are not worth an answer.

Reverting to the position of political affairs in Bombay, we may mention that the result of Mr. Elphinstone's government of that Presidency has been this:—When Sir Evan Nepean, his predecessor, was in power, the sum annually drawn by the Bombay Government, from the Treasury of Bengal, to supply the deficiency of its own revenue, and pay the expenditure of the Presidency, was less than twenty lacs of rupees, or 200,000*l.* sterling. Since that period, there has been a large accession of territory, by conquest and cession, from the Mahratta states, and no inconsiderable share of booty, or plunder, of which our pages contain some records. This gain, however, has been so clearly a loss, that the present annual sum drawn, by the Bombay Government, from the Treasury of Bengal, is nearly 100 lacs of rupees, or about a million sterling; nearly five times the former amount, though that might be considered a large price to pay for the retention of so undoubtedly desirable a harbour as Bombay. We hear, too, that the increased expenditure of the Government has given a general character of extravagance to the expenditure of all classes of its servants, which is a natural consequence; while the evil of each unfortunately falls on the unhappy natives of the country, from whom, in proportion to the wants of the state and its officers, must more be drawn in revenue and taxes.

The 'Bombay Courier' of the 24th of February, contains an advertisement, stating that several individuals had intimated to the Government their wish to establish a mail-coach from Panwell to Poona, whereupon the Government invites tenders of contract for such coaches, and also for keeping the road in repair. It is high time, indeed, that *something* should be done upon a road on which we hear the Government of Bombay has already expended seven lacs of rupees, or 70,000*l.*, and now need others to keep it in repair though there is no commerce or transport of goods on it. As road-making is, however, a new virtue of Indian government, we are glad to hear it begun in any way, and for any purpose. But we trust, when the mail-coach is established, they will allow of unlicensed passengers going by it without passports, otherwise it may turn out an unprofitable speculation.

Mr. Baber is to succeed the late Mr. Stevens on the coast of Malabar. Mr. Nisbet, of the Madras Civil Service, will be appointed to the southern Mahratta country, in place of Mr. Baber. Mr. Williams, jun. is to be Collector of Bombay; Mr. Box, the Revenue Secretary, and Mr. Dunlop, goes to Poonah, in succession to Mr. Anderson.

The intelligence from Singapore and the eastern parts of India is interesting. We have endeavoured so to arrange the selections we have made from the papers of this and the other settlements of India, as to make each separate subject as distinct and complete in itself as was practicable. We have also drawn from our own resources of correspondence and information such articles as we have thought especially suited to the views of this publication; and, acknowledging the authority of each, have presented them, under their respective heads, to the reader.

If any more recent Indian news should reach us before this publication is actually issued, we will endeavour to include it in a post-script. In the mean time, we pass on to the details which are already in our hands.

#### STATE AND PROSPECTS OF INDO-BRITONS.

This is a subject which has so frequently been discussed in the Indian papers, though, we lament to say, with very little advantage to the class whom it most deeply interests, that it might be difficult to say any thing new on it, for some time to come. The following article, however, which we take from a late Number of the *Bengal Chronicle*, deserves more attention; inasmuch as its observations are especially directed to the operation on that class of our Indian fellow-subjects, of a late legislative measure in England; and, therefore, we give it entire. It is as follows:

The process by which a nation or a class advances in the career of improvement is necessarily very slow and gradual, and almost imperceptible in its operation, and therefore, to form a just estimate in any given case, it is indispensable not merely to look at what is, but to compare what is with what has been; and also to look not merely at a few individuals greatly distinguished either for virtue or vice, but at the general character of the community, and at the tendency and direction which the public mind has received. If we apply these criteria to the East Indian or Indo-British population of this country, our conviction is, from all that we have seen, heard, and learned, that many indications will be found of their rapid growth not merely in number—on which, indeed, we are not aware that the public yet possess sufficient data to perform a direct opinion—but in intelligence, in knowledge, in self-respect or independence of mind, and in consideration with the other classes of society and with the government of the country in which they live. To estimate

rate all the proofs which might be adduced in support of this opinion would be a heavier task than we are at present disposed to undertake, and we therefore begin with referring at once to a recent and very palpable testimony to the increased estimation in which they are held—we mean Mr. Wynn's East India Jury Bill.

Against the provisions of this bill, we think that Hindoos and Musulmans have strong and just grounds of objection, arising not from their unfitness for the discharge of the duties of Jurors, but from the offensive religious exceptions which have been made, and which those classes can consider in no other light than as highly insulting and degrading. The allegation of unfitness from the Madras Natives came upon us so unexpectedly, that we confess it did at first astound and stagger us, but the light which the Madras papers have thrown on the machinery employed to effect the object in view, and the articles written by the Hindoos of Bengal and by the Editor of the Sumbad Cowmuddee on the subject, removed every doubt, and convinced us that the only objection which an honest Hindoo or Musulman can have to the bill, must be founded on the invidious distinctions to which we have adverted. We have sought for information as to the feelings and wishes of the Natives from all those of our acquaintance, and we have not found a single individual express a wish to avoid eligibility to the Jury, but they all with one voice loudly protest against the gross partiality and palpable injustice of debarring them from the Grand Jury because they are not Christians, and from the Petty Jury on the trial of Christians for the same reason; their religion, the religion of their forefathers, the religion in which they themselves were educated, and to which most of them still fondly cling, being thus made the sole ground of exclusion from an honorary civic duty, and held up to their fellow-subjects as an object of contempt and reproach.

We honour them for these feelings, and we will honour them more when they give a public and respectful expression to them. The 'John Bull' has announced that a public meeting is in contemplation by most of the respectable Natives in relation to this bill, and we are persuaded that it is only for such a purpose that the meeting will be held, not for the purpose of objecting to the cases in which they are, but to those in which they are not, made eligible to serve,—not for the purpose of complaining of what has been done, but of what has been left undone.

However strong and well-founded may be the complaints of Hindoos and Musulmans against this bill, there can be no doubt that it bears, but one aspect towards the Indo-British community, and that a most favourable and encouraging one. It has been gained, in as far as they are concerned, by the persevering representations made by themselves and their friends; and thus viewed as the effect of exertion, it should animate to further increased endeavours for the attainment of greater advantages that are still withheld. The efforts

made to obtain the privilege that has been contended, show that they were worthy of it, and the concession itself proves that the British Legislature knows and appreciates their worth and importance. It is not only the reward of their zeal, and the proof and acknowledgment of their capacity, and thus an encouragement to continued exertion for the extension of their privilege; but it may also be viewed as a pledge on the part of his Majesty's Ministers of their disposition to conciliation, and of their willingness to grant every proper and reasonable demand. Whether we regard the laws to which Indo-Britons are made subject in the Mofussil, or the posts and offices in the Company's service from which they are invidiously excluded, they have still many grievances to complain of and many disqualifications to throw off, and we hope they will not rest until they reach the goal of their wishes, and find themselves in every respect on a level with the most privileged classes of his Majesty's subjects.

The eligibility to serve on juries is one, but it is not the only indication of the growing intelligence and consequence of the Indo-British community. If the state of the different seminaries in Calcutta for the education of youth of both sexes be examined, almost the entire number of pupils will be found to consist of that class; and so urgent has been the demand on the part of parents for a suitable education to their children, that two sister-institutions—not very loving sisters, it is true—have started up within the last three years, and have been placed under peculiar and appropriate discipline and management, if not exclusively, at least primarily, for their benefit. We refer to the Parental Academic Institution and the Calcutta Grammar School; both of which are we believe, on the whole, in a flourishing condition. The recent public examinations of these and other seminaries, almost entirely filled by Indo-British pupils, hold out the most pleasing prospects both to the parents who are more immediately concerned, and to the community at large, of their competency in due time to enter on the duties of mature life, and to maintain and confirm the character which this class of society is gaining for itself. We might in this connection refer to the existence and objects of the Oriental Literary Society, had we not so recently noticed its Report; but leaving this, there is still another view that may be taken of the subject. We have known some, and there may be many others, of this class, who having been sent in infancy to England for their education, returned in youth or early manhood to the land of their birth, and who after having by industry acquired a competency go back again with their families to the land of their adoption. Their children will in all probability follow the example of their parents, and return for at least some portion of their lives to this country, and the advantages derived to the Indo-British community from this free intercourse with the Mother Country are very great. It is undeniable that there is

an approximation in the Indo-British character to the indolence and inactivity of the Natives; but an English education, where it has been properly conducted, joined with the bracing nature of the climate, infuses an elasticity of mind, a hardihood of body, and an independence of principle, which, under the pervading influence of an Indian climate and of Indian society and manners, it seems almost impossible to create. An Indo-Briton, therefore, educated in England, and living in this country, will greatly contribute to raise and keep up the standard of character among his countrymen, by spreading among them those healthy, moral, and political principles, which, however forgotten and repudiated here, are at home received as axioms and applied constantly to practice.

Had we time and space, we might touch on many other topics connected with the state of society among Indo-Britons, but we postpone the further consideration of the subject to a future opportunity, and content ourselves at present with expressing our ardent wish for their prosperity and improvement.

#### THE COMPANY'S COTTON PURCHASES.

The following is a letter, dated from the upper provinces of Hindoostan, on the 18th of December last, under the signature of 'Mercator,' and addressed to the Editor of the 'Bengal Hurkaru,' in which paper it appears:

The Company's Commercial Agent at Calpee having, I understand, been ordered to provide on account of the Company, from the present year's crop, 24,000 factory maunds of cotton for the Europe market, at an average price of 15 sicca rupees the maund, exclusive of the agent's commission and establishment, &c.; and 192,000 factory maunds of cotton for China, at 12-8 sicca rupees the maund, with the same exclusions, I am induced, *pro bono publico*, to address you on the subject, in the hope that some of your mercantile readers will be able to unravel the Company's object in ordering cotton to be purchased at such high prices in the Upper Provinces, when it may be had so much cheaper at Calcutta, free of river and other risks.

'The "Calcutta Weekly Price Current," published at the Hurkaru Press, on the 18th ult. quoted the Bandah cotton, which constitutes the Company's Europe investment, at an average of 13-1 sicca rupees per Calcutta bazar maund in screwed bales; and the Kutchowra cotton, which principally constitutes the Company's China investment, at an average of 12-8 sicca rupees per Calcutta bazar maund in screwed bales.

'To show the difference between the Company's prices and those quoted in the 'Calcutta Weekly Price Current,' it will be necessary to reduce the two to the same standard, and to add to the former the duties and charges which individual merchants have to pay on cotton purchased by them for exportation to Calcutta.

"The following comparative statements will more clearly elucidate what I have to state:

Cost and invoice charges of one factory maund of Bandah cotton in half-screwed bales, estimate by the Company's Agent, at sicca rupees	15 0 0
Agent's commission at 5 per cent. on 14 rupees, being the prime cost	0 11 2
Establishment, building, &c. at 2-8 ditto	0 5 7
Expense of re-screwing the cotton at Calcutta, per maund	1 0 0
Difference between the factory and bazar maund, 10 per cent. or per maund 3 seers 10 cts. at 17 rs. 9 pic	1 8 10

Cost of one bazar maund to the Company	18 9 7
Add what private merchants have to pay:	
Government duty per maund of 96 sa. wt. to the seer...	0 6 10
Interest and loss of exchange upon 19 0 5 for 6 months, at 6 per cent. per annum	0 9 1
Insurance upon 19 9 6 at 3 per cent.	0 9 5
	1 3 4

If the Company were trading upon the footing of a private merchant, their cotton would cost them at per Calcutta bazar maund	20 2 11
Kutchowra cotton for the China market, cost and invoice charges of one factory maund of cotton in half-screwed bales, estimated by the Company's Agent at sicca rupees	12 6 0
Agent's commission at 5 per cent. on rupees, 11 8 being the prime cost	0 16 0
Establishment, buildings, &c. at 2 8 per ct.	0 6 0
Expense of re-screwing the cotton at Calcutta, per maund	1 0 0
Difference between the factory and bazar maund, 10 per cent. or per maund 3 seers 10 cts. at	14 7 6
	1 1 10

Cost of one bazar maund to the Company	25 11 10
Add what private merchants have to pay:	
Government duty per maund of 96 sicca wt. to the seer..	0 6 10
Interest and loss of exchange upon 16 2 8 for 6 months, at 6 per cent. per annum	0 7 9
Insurance upon 16 10 5 at 3 per cent.	0 8 0
	1 6 7

If the Company were trading upon the footing of a private merchant, their China cotton would cost them, at per Calcutta bazar maund	17 2 5
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"The two preceding statements show, that if the Company purchase their cotton in the upper provinces, at the rates estimated by their Agent, their Europe cotton will cost them, sicca rupees, 20 2 10 per Calcutta bazar maund, when the same description of cotton may be had, at Calcutta, for sicca rupees, 13 1 0; and their China cotton will cost, sicca rupees, 17 2 5, when the same may be had for sicca rupees, 12 8 0 per Calcutta bazar maund. The first being, sicca rupees, 7 1 11, and the second, sicca rupees, 4 10 5 per bazar maund more than what a private merchant could afford to pay, considering the present state of the Calcutta market.

"As the Calcutta bazar maund, every one knows, is 10 per cent. better than the factory maund of cotton, ordered by the Company for the Europe market, are equal to Calcutta bazar maunds, 12 5 8 8.

And the 192,000 factory maunds of China cotton are equal to Calcutta bazar maunds, 174,545 18 0. The loss which the Company will sustain, by purchasing their cotton in the Upper Provinces, instead of at Calcutta, may easily be ascertained. On the Europe cotton, at sicca rupees, 7 1 11, it will amount to, sicca rupees, 155,341 0 7, and on the China cotton, at sicca rupees, 4 10 5, to sicca rupees, 811,816 1 2, forming an aggregate upon the Company's investment of, sicca rupees, 967,157 1 9, no inconsiderable sum, indeed, considering the state of the Company's finances at the present moment.

The insurance in the foregoing statements has been rated at 3 per cent., at which private individuals insure their goods. But the losses the Company have sustained by the sinking of boats on their way to Calcutta, it has been ascertained, average much higher. In 1824-25, it appears, out of 169 boats, which were laden with cotton, and dispatched from Calpee to Calcutta on account of the Company, thirty-nine boats met with accidents, besides three boats that were wrecked on their way from the Moofussil Koties to the head factory at Calpee; making, together, 42 boats, or an average nearly of 25 per cent.; in fact, 23 per cent. more than the insurance reckoned in the statements. Exclusive of this, the men who proceeded in charge of the boats, took up, on their way to Calcutta, about ten thousand rupees more. The result of the transactions of 1825-26 cannot be easily ascertained, as the whole of the dispatches of cotton made from Calpee have not reached Calcutta; but from the number of boats which have already met with accidents, it is presumed it will be still more unfavourable than 1824-25.

As gain, I believe, is the primary object of mankind in all their mercantile concerns, I should imagine not the smallest occasion existed for such high prices being given by the Company for their cotton in the Upper Provinces. As long as the state of the markets here does not admit of a fair profit to the private merchants upon their outlay, it is unreasonable to suppose that they will purchase cotton; or that the Company's Agent will experience any competition from them, to render such high rates necessary. In my humble opinion, it would be much more preferable if the Company authorized the application of so large a sum of money to the encouragement of institutions, which tended to benefit the country from whence it is derived, and its inhabitants, than that it should be most considerably and uselessly thrown away.

There are many Europeans, as well as Native merchants, who would readily engage with the Company for the quantity of cotton they require to get them out of the markets of the Upper Provinces, if tenders were invited by advertisement in the public prints, in the same manner as the Government of Bombay provide the Company's cotton investment. For often the Company's people raise the prices so unnecessarily high, that the gomastahs of the private merchants are either driven entirely out of the markets, or, if they compete



with them at the prices of their own creation, the private merchants find, on the arrival of the cotton at its destination, that they cannot realize any thing like the prices paid by their gomastahs.

#### THE INDIAN PRESS.

We detailed, in our Number for June, the principal facts connected with the threatened suppression of the 'Bengal Chronicle,' and the removal of its Editor. We are glad to find that this subject is alluded to in the 'Singapore Chronicle,' in terms which are creditable to all the parties, except the weak and foolish government that could so far misunderstand its own dignity as to meddle in such an affair. The following is the article from the Singapore paper.:

'We are sorry to observe, that the gentleman whose talent and perseverance, with very inadequate means at his command, have within a few months raised the "Bengal Chronicle" to the high station it at present holds among Indian Journals, proved by a circulation equal to that of the oldest of its contemporaries, has incurred the displeasure of Government. We regret this, not more because it has deprived the public of an able, active, and, above all, an honest journalist, than on account of its having wrested from an excellent man at once the means of present comfort and the prospect of future independence, depriving him and his family of every thing but the bare means of subsistence. Those who would accuse him, or others similarly situated, of imprudence, will do well to consider the difficulties and dangers that beset the editorial path in Calcutta, where the Government is the sole interpreter of the law, and enacts at once the triple part of accuser, judge, and executioner. If he should, however, after all, be convicted of imprudence, it is an imprudence of that description which, though not in itself commendable, is often the companion of integrity—an imprudence which those who write from conviction and the impulse of honest and enthusiastic feelings are ever the most prone to. The remarks of his successor so well express our own sentiments, and do so much honour alike to the writer and the subject of them, that we cannot forbear transcribing them. They are as follows :

"Our Tuesday's Paper was unavoidably prepared in so hurried a manner, in consequence of the uncertainty that existed whether Government would permit its publication, that we omitted to say much which the occasion appeared, and still appears to us to demand. Our first and strongest feeling—a feeling which we are neither ashamed to acknowledge nor afraid to express—is sympathy and respect for the late Editor of this Paper. We do not think, and we do not therefore affirm, that he was faultless—that he never went beyond the limits which, even without the additional lesson just received, we should have prescribed to ourselves. But when we consider the laborious duties he had to perform, besides those that devolved on him in connection with this Paper, the weak state of his health, and the inadequate means which the Proprietor could place at his disposal—and if we contrast with these disadvantages, which to almost all would have appeared insuperable, the gradual but certain steps

by which he raised this Journal to the place which it now holds, equalling in the extent of its circulation the oldest of its contemporaries, within eighteen months after its establishment; the quantity of interesting original matter which every successive number produced; and the ability and tact with which he treated the various subjects that came under his review, whether in politics or religion, in civil or in mercantile life,—we have no hesitation in declaring it as our opinion, that the public have lost the services of an able, faithful, and zealous journalist. So far from considering his occasional aberrations as matter of wonder, all the wonder to us is, that under the existing Press Regulations, which, although sufficiently minute in the specifications they contain, must be admitted by their warmest admirers to be uncertain and undefined in their application, he did not more frequently draw down on himself the displeasure of Government. His very faults were not faults in themselves, but only in the circumstances in which he was placed. The very difficulty he felt to submit to the trammels of a licensed Press, and to chain down his thoughts to the supposed will of a superior and absolute power, should, in our opinion, raise him in the estimation of an English public, and we would add, in the estimation of English Rulers, even while they find it necessary to punish him. The state of mind by which this difficulty is created is the safeguard of British liberty, and in the season of trial has been found the strongest bulwark of national independence."

"These remarks do honour to the heart and understanding of the writer, and those of the 'Hurkaru' are equally praiseworthy. If we could bestow the same commendation on those of the 'John Bull,' we should have pleasure in doing so. As it is, we confine ourselves to saying, that they are the very reverse of those we have described. The whole conduct, indeed, of that Paper, or we should rather say of those who manage it, to its younger contemporary, has been paltry, as all conduct must be that proceeds upon trick and subterfuge.

"It is just, that where a severe punishment has been inflicted, the crime, if there be one, should also be known, that it may not be deemed to be of a blacker dye than in truth it is. We must therefore mention, that the ex-Editor's offence was the publication of some remarks upon the origin and early events of the late disastrous war with the Burmese, having a tendency, as was supposed, to bring the Rulers of India into "hatred and contempt." How far they may have produced such an effect, or what influence they have had, or may yet produce, upon the destinies of India, it is vain to speculate. It is sufficient to say, that those who see them will probably be of opinion, that, however culpable the Editor may have been in other respects, he has not perpetrated, in his remarks, the sin of novelty."

#### MISCELLANEOUS NEWS.

The miscellaneous news from Singapore, and, through it, from China, is of more general interest than from any other part of the East; at least to English readers, to whom any notices respecting the commerce, productions, and safety of intercourse between different parts of the Eastern world, is of more importance than all the editorial controversies, and insipid notices of festivals and local en-

tertainments, which fill so large a place in the papers of Bengal, Madras, and Bombay. We follow the order of dates in making our selections from the letters and papers that have reached us from this rising mart of Eastern enterprise.

**SINGAPORE, Dec. 21, 1826.**—We are informed on the best authority, that letters have been received from Mr. Ricketts, his Majesty's Consul-General at Lima, to the Address of our late Resident, Mr. Crawford, written with the view of suggesting and establishing a commercial intercourse with that portion of the emancipated states of South America. The advantages of our situation as a depôt for the collection of produce and manufactured goods from China, Bengal, and the adjoining countries are conspicuously manifest, and, under the establishment of such a trade, highly promising.

By proper and early arrangement, the manufactured silk and crepes of China, which, we believe, are in first demand in the markets of South America, could be ordered and made to any pattern, and brought here by the country ships returning in the months of November and December, without incurring many of the imposts; and avoiding all the expense of a detention of many months in China, to which vessels trading direct from South America to China are now exposed, and which even our American friends cannot escape; although the intelligence, enterprise, and address of Mr. Cushing has done much to facilitate their commercial operations at Canton.

**MALACCA.**—The "Malacca Observer" of the 5th of December maintains, that the quantity of pepper produced at Malacca had been by mistake stated in a former Number to be 3000 piculs annually, and that it is three times that amount! *Credet Judens Appetit!*

**DUTCH COMPANY.**—The accounts from Europe state the stock of the new Dutch Company to have fallen considerably, and that the continued depression of the coffee market at home was occasioned by the quantity brought forward by them, and which their pressing demands had forced them to realize at any price. We believe coffee can be now purchased in Java at 20 silver guilders per picul. By their agreement with the Dutch Government they take the reserved coffee of the Government districts at 26 rupees per picul for 18 years, which will occasion a loss of about 600,000 guilders for this season.

This body seems fast fulfilling the measure of their destinies, and, we think, ought to adopt the commercial prayer of our friends at Penang, that they may be permitted to remain on the less rapid path to extinction.

**Chinese Emigration.**—By the return of the Portuguese ships from Macao, our settlement has acquired a considerable increase of Chinese mechanics and labourers anxious for employment. It is reported that the levies of soldiers throughout the different provinces of the empire, for the purpose of suppressing the rebellion in Tar-

tary, has given employment to so many persons; that it is supposed by some of the Chinese here, that the number of emigrants by the junks this season will be less than usual. We do not, however, think that the maritime provinces, from which the Chinese usually emigrate, can at all be affected by disturbances in so distant a part of the country. The regular military force of the empire will probably be sufficient to quell the present insurrection, which, although it has excited considerable anxiety at court, is not more formidable than some others which have preceded it. We know very little of what takes place in China, but we believe that insurrections in the distant provinces are by no means of rare occurrence.

One of the Portuguese vessels which came in last week had on board about 200 passengers. Almost the whole of those which have arrived intend settling here or at Rhio, and but few have proceeded up the Straits.

*Singapore, Jan. 4, 1827.*—An English and Malayan school has been established at Telook Ayer, Pekin-street, for the purpose of teaching the children of all classes of Native inhabitants to read and write the English and Malayan languages in the Roman character, together with any other branch of knowledge which may be deemed desirable or useful. The British system of education has been adopted, and the hours of attendance at present are from 9 to 11 A. M., and from 5 to 7 P. M. Malay schools have also been established at Campong Glam and Telook Ayer, for teaching the Malayan language only, and in the Malay character.

The *Lalla Rookh*, from England, Madras, and Penang, arrived here yesterday, when our long expected resident, Mr. Prince, landed from the *Lalla Rookh*, under the usual salute.

Six hundred Madras troops had arrived at Penang to relieve the 65th Bengal Native Infantry. The Bengal troops now here are also to be removed immediately, and replaced by sepoy from Madras.

Advices from China, of the 11th December, enable us to lay before our readers a few remarks upon the markets. The quantity of opium taken from the Lintin fleet during the preceding month, consisted of 285 chests Patna and Benares, leaving a stock of 1400 chests; and 780 chests Malwa, leaving a stock of 1700 chests. It was expected, that if the arrivals continued on a moderate scale, prices generally would improve, as the stock was not considered as too much for the demand that had lately prevailed. There was much anxiety among the holders of Patna to realize quickly, partly owing to its inferior quality; and the consequent cheapness of the Patna is stated to have operated very unfavourably for the Malwa.

New Patna was selling at 960 dollars, per chest of 107 catties.

Old Patna at . . . . 1090 dollars, per chest of 103 catties.

New Banares at . . . . 880 to 890 dollars.

*Oriental Herald, Vol. 14.*

2 B

' The Bombay sorts of cotton were in fair demand, but the Bengal cotton was of slow sale, and it was expected that it would be more easily effected by future importations. Bombay cotton was at 10 to 10.5; Bengal cotton was at 9 to 10. The Company having closed their treasury both on England and Bengal, silk had, in consequence, advanced in price, being at 400 to 410 dollars per picul. Dollars and Syce silver were in consequence the only resources for remittance to India. The latter continued scarce, at 7 per cent. premium.

' By advices of the 16th of November from Bangkok, by the brig *Narsary*, we learn that the Siamese were busily engaged in fortifying the mouth of the river, being in daily expectation of an attack from the English. So firmly persuaded were they of this, that they had several boats cruizing outside the bar, to give them the earliest intelligence of the arrival of the English ships. No communication had been received from the Burman side of the country since Captain Burney left Siam; but there was a report at Bangkok, that the English had taken possession of Queda for the old king. The report is stated to have arisen from the king of Ligor having left the place rather suddenly, at the commencement of the Siamese holidays.

' A petty embassy, or mission, from Cochin China was at Bangkok at the date of our informant's letter. A rebellion was raging in Cochin China, but it was not believed that the Cochin Chinese were in want of assistance from the Siamese to extinguish it; but that the object of the mission was of a more negative kind—to prevent the Siamese from joining the rebels. If the Siamese ever seriously entertained such a design, the fear of an English invasion is likely to operate with a more salutary effect in favour of the Cochin Chinese, than any embassy they could send. Missions, indeed, and political missionaries, do not seem to be in good repute at the court of Bangkok.

' Our informant adds, that, six days before, the *Praklang* had arrived from Pahnarn, being the first time of his doing so since the departure of the guardian. He is stated to have been 'very civil,' and doing all in his power to enable our correspondent to recover outstanding debts, &c.

' We understand that a Siamese junk, bound for this port, was cut off by pirates within the last four or five days. The crew, with the exception of two who escaped, were massacred, and the junk, with a cargo of rice and sugar, taken possession of by the pirates. Thus every day's experience shows how necessary it is that early and effectual means should be taken to sweep these miscreants from the sea. The capture occurred only a few miles from this port.

' *Singapore, Jan. 18, 1827.*—By the *Colonel Young*, Captain Gray, we have received advices from Canton down to the 3d. of January,

which enable us to give the following view of the delivery of opium during the month of December, and the stock on hand on the 1st of the present month :

	Patna and Benares.	Malwa.
' Delivered in December from Lintin . . .	264 . . .	453 chests.
Ditto . . . . . Macao . . .	16 . . .	47
	<hr/> 280	<hr/> 500

The stock remaining on hand was 1477 chests of Patna and Benares, and 1,550 Malwa.

' In the last commercial register we mentioned, that Mr. Crozier and Captain Cook, of the Dutch brig *Latona*, had been murdered by the crew, and the vessel carried into Sooloo. The only particulars we have learned relative to this affair are, that the crew consisted of Manilla men and Javanese; that the captain having, for some cause or other, struck one of the former, was immediately stabbed by him; that the other Manilla men took part with the murderer, and the Javanese remaining inactive, killed Mr. Crozier also, and carried the vessel, as has been stated, into Sooloo. The Sultan of the place had been requested by the Governor of Manilla to give her up, but, down to the departure of the brig *Merkus*, on the 1st of January, had declined complying with the requisition. The Governor of Manilla expressed an intention of continuing to use every means in his power, short of force, for the recovery of the vessel.

' *Junks*.—Within these few days two junks have arrived from Canton, being the first of the season. We are not aware that there is any thing new or peculiar in the nature of their cargoes, but those who feel any curiosity on that head will find detailed lists of them in the "Commercial Register." One of these junks has brought 450 passengers; the other has not been reported as bringing any.

' *Pirates*.—In our last we mentioned that a native vessel had been taken a few days before, and the crew, with the exception of two, put to death by pirates. It now appears that no less than five persons have escaped, and arrived here. These men are Chinese from Siam, and state, that they and their companions belonged to a small tope, the crew of which consisted in all of twelve men. The tope was on her return from a voyage to Saigon, and bound for this port; but, off Pahang, met with stormy weather, and, being disabled, drifted near to Ramping, a small place a little on this side of Pahang. Having anchored there, she was shortly after boarded by a sampang, the people of which advised the crew to apply for assistance to some Chinese, who, they told them, were living at Ramping. On the faith of this, the chinchu and four others of the crew went on shore in the sampang. Soon afterwards the Malays returned to the tope, telling those who still remained on board that the chinchu and his companions had been put to death, and as the

remaining hands were insufficient for the preservation of the tope and her cargo, it was advisable that they should abandon her. The crew, having the fear of the crisis before their eyes, seem to have been of the same opinion; and on condition that their lives should be spared, they allowed themselves to be taken out of the tope and landed, with the exception of two old men, who were allowed by the pirates to remain on board. The tope was then hauled into the river.

The men whose evidence has furnished us with these particulars soon contrived to make their escape, and, after a march of nine days, arrived near Johar, having subsisted on shell-fish and the nipa fruit, crossing the streams which they met with upon rafts, constructed with materials procured by means of a parung, of which they had possessed themselves. In the neighbourhood of Johar they fortunately met with a Chinese from Singapore, who brought them on here, where their statement has been partly corroborated by a chinchu, who recognizes them as having formed part of the crew of a tope, belonging to his owners.

We are happy to learn that the resident has transmitted a communication on this subject to the bundharu of Pahang, within whose territory Ramping is situated, and we shall be glad if the result shall hereafter enable us to say, that the people who have perpetrated these murders have been punished, and that the bundharu has used his endeavours to procure the recovery of the tope and her cargo. The monsoon being unfavourable for going by sea to Pahang, and the men who have escaped being unwilling to trust themselves a second time in the hands of the Philistines, the reference to Pahang has, we understand, been forwarded by the way of Malacca, whither a number of people from Pahang annually resort at the present season.

Our readers will find in a subsequent column a very good letter, containing the opinions of the writer on the best mode of suppressing piracy. It contains many valuable hints and suggestions, some of which, we have no doubt, will, one of these days, be adopted.

We are happy to find the writer is of opinion that the Malay chiefs will readily co-operate in any measures that may be adopted by Government to secure the result he contemplates; for we had feared, from the habits of these people, that they would never become very zealous coadjutors in the suppression of acts which, however shocking to humanity, men in that state of civilization are not likely to view with much abhorrence. Among semi-savages like these, the mere destruction of human life is a venial affair, and the prospect of any steady co-operation from them, in the suppression of violence and rapine, we had considered about as probable as the equipment of a squadron by the philanthropists of Tunis or Algiers to aid in the suppression of the slave-trade.

Singapore, Feb. 15, 1827.—Wednesday the 7th instant, the anniversary of the formation of the Singapore Yacht Club was fixed on by the members as a proper day for a survey of the four and a half fathom bank, which had, we suppose erroneously, been reported dangerous, as the Singapore Yacht Club sounded all over it, and had no less water than four and a half fathoms, and found Ross's soundings generally quite correct. It would be well if captains of ships would communicate to us any difference they might detect in the soundings hereabouts, provided they were sure their leadman did his duty correctly. We feel assured the zeal of the S. Y. C. would prove the truth or otherwise of such notices.\*

We learn from the Calcutta "John Bull," that "it is surmised that Singapore is a bubble near exploding;" but as no grounds are advanced for this gratuitous prediction, we may suppose that the wag with whom it originated was as ill-provided with a reason as the author of that immortal triplet,

"I do not like thee, Doctor Fell:

The reason why I cannot tell,

But I don't like thee, Doctor Fell."

Men's predictions are often an index to their wishes. Fortunately, however, the prosperity of Singapore is fixed on too firm a foundation to be shaken by an artillery of surmises. Those who "lift up their voices and prophesy against this place," may therefore depend upon it that they labour in a vain vocation, unless they can at the same time render a reason for the faith that is in them, by showing that the causes which have produced the past prosperity of the settlement either have ceased to operate, or soon will do so. Till this is done, their predictions are gratuitous and childish.

*Population.*—Within the last fortnight no less than two murders have been committed, one, of a man, by a Chinese, and the other, of a young woman, by a Malay. The latter was attended with circumstances of peculiar barbarity, and, we regret to say, that the savage who perpetrated it has not been taken, though a reward has been offered for his apprehension. These, and we understand a large proportion of the murders committed at Singapore, have originated in jealousy or revenge, of which women have been the source and sometimes the victims. There is, in fact, too great a disparity in the numbers of the sexes in the settlement, the males being much more numerous than the females. By the returns of the population for the past year, it appears, that exclusive of the military, the male population of Singapore is 10,307, and the female only 3,443. The disproportion is very great, and must sometimes excite a rivalry for the smiles of the fair causes of dissension, very inimical to the peace and good order of the community.

This is a mode of employing the services of the Yacht Club of Singapore, worthy of imitation by the Yacht Clubs of England.—Ed.



*'Shipping.*—The Spanish ship *Constantia*, from Cadiz, bound to Manilla, put in here a few days ago, after an unsuccessful attempt to effect a passage up the China sea against the monsoon. This vessel has on board Don Joaquim Crame, Lieut.-Governor of the Philippines, with his suite, and several other passengers. We understand that it is the intention of her commander to pass the remainder of the monsoon at this port, and wait for a fair wind to complete his voyage. The Brazilian ship *Don Pedro* has also, we believe, abandoned the intention of proceeding further on her voyage in the present adverse state of the winds, although two of the Honourable Company's ships and several country ships have gone on to China since her arrival here.

*'A Bagis prahu* from the island of Bali, with a cargo for this port, was driven on the rocks, a few days ago, near New Harbour. A great part of the cargo, consisting of rice, was totally destroyed, and the vessel was abandoned by the crew, who made no effort to get her off. The prahu has been sold to a Chinese for 50 dollars, and the commander and crew have fitted out the small boat which belonged to the prahu, for their voyage back to their own country. The prahu has been got off and floated into the harbour by the Chinese, who will no doubt make a handsome profit by his purchase.'

*Tortoise Shell.*—The following is a letter addressed, under the signature of 'MARCUS,' to the Editor of the '*Singapore Chronicle*,' on the cruel method of obtaining this article :

*'SIR,*—In a paper like yours, which has so many reflecting and well-informed readers, it must be an attempt attended with some danger to insert any thing which might appear to evince in you any disposition to hold their judgment at a cheap rate. I hope, however, that it may not appear singular that I should venture to give you the following account—which must call loudly upon the credulity of your readers—of the manner in which the tortoise-shell is taken from the back of the animal which furnishes this valuable article of traffic, and which I report from the authority of respectable persons, by whom it is firmly credited. This highly-prized aquatic production, then, when caught by the Eastern islanders, is suspended over a fire, kindled immediately after its capture, until such time as the effect of the heat loosens the shell to such a degree that it can be removed with the greatest ease. The animal, now stripped and defenceless, is set at liberty, to re-enter its native element. If caught in the ensuing season, or at any subsequent period, it is asserted that the unhappy animal is subjected to a second ordeal of fire, rewarding its capturers this time, however, with a very thin shell. This, if true, shows more policy and skill than tenderness in the method thus adopted by the islanders ; it is a questionless proof, too, of tenacity of life in the animal, and must further be accounted a very singular fact in natural history.'

**‘ MONUMENT TO SIR T. S. RAFFLES.** —At a meeting of the friends of the late Sir T. S. Raffles, convened at Singapore, January 30, 1827, for the purpose of considering the best means of perpetuating the remembrance of the eminent services rendered to this settlement, and to the commercial world generally, by this distinguished individual, the following Resolutions were proposed and adopted :

‘ Resolved, 1st, That a Monument be erected to his memory on some conspicuous and suitable spot within the precincts of Singapore.

‘ 2d, That a Committee be appointed to procure subscriptions by every means in their power, both in Singapore and elsewhere; to determine on the most eligible situation for the proposed Monument; and to superintend every thing connected with the object in view.

‘ 3d, That the Committee consist of the following persons, selected from gentlemen in the Honourable East India Company’s Service at Singapore, and from the commercial part of the community, by priority of residence, viz :

‘ The Hon. J. Prince, Esq.; Edward Presgrave, Esq.; S. G. Bonham, Esq.; Rev. R. Burn; Lieut. P. Jackson; Wm. Montgomerie, M. D.; Charles Scott, Esq.; J. A. Maxwell, Esq.; A. Guthrie, Esq.; G. MacKenzie, Esq.; A. L. Johnston, Esq.; Charles Thomas, Esq.

‘ 4th, That any three of these gentlemen be considered a quorum, and authorised to transact any business that may arise, after due notice has been given to each member of the Committee.

‘ 5th, That a suitable inscription, in English, Latin, Chinese, and Malayan, be prepared for the Monument.

‘ 6th, That Mr. G. D. Coleman be appointed Architect to superintend the building; and that a plan and estimate of the same be prepared by that gentleman, to be laid before the Committee as soon as the probable amount of the subscriptions can be ascertained.

‘ 7th, That Messrs. A. L. Johnston and Co., Singapore, be requested to act as Treasurers, and to receive all contributions.

‘ 8th, That the several Houses of Agency in Bengal, Madras, Bombay, China, and Prince of Wales’s Island, be requested to receive subscriptions for the proposed Monument, and transmit the same at their earliest convenience to the Treasurers, Messrs. A. L. Johnston and Co.

‘ A long list of subscriptions was obtained at the meeting, amounting to about 1,500 Spanish dollars.’

The following letter from Singapore relates to the same subject, and contains a tabular view of the progress of the settlement, which is both valuable and curious :

*‘ Singapore, 24th Feb. 1827.*

‘ Ever since the account of Sir Stamford Raffles’s death arrived here, it has been the wish of the greater portion of the inhabitants to do something by which they may testify their respect for his memory; and accordingly a meeting was called, when it was resolved to erect a monument on some conspicuous part of this island. It is feared, however, that the European population is too small to carry the work through without some aid from the friends of Sir Stamford in other quarters: and with this view the Committee have requested

me to write to England, with a view to the opening a subscription there for this purpose. There has already been collected here 2000 dollars, and I think that some of the chief Chinese merchants may be induced to add to it, which, with what may be collected in Penang and Bengal, will go a good way towards carrying the matter through. It is, of course, desirable to make something handsome of this. I send you by this a copy of the 'Singapore Chronicle,' of Feb. 15, in which the Resolutions of the Meeting here are contained. Every one here are more or less indebted to the late Sir Stamford Raffles, either for personal favours or for the good he has done to the settlement, as there is no doubt but that he has brought it to its present importance chiefly by his fostering care.

'A census of the population has lately been taken, and also a report made of the exports and imports for the last year.

'This report has not yet been printed in the 'Commercial Register,' and, as the 'Chronicle' will not be out in time to send it you in this, I forward it at once in the following written statement:

*Census of the Inhabitants of Singapore, taken 1st January 1827.*

	Males.	Females.	Total.
Europeans.....	69	18	87
Armenians.....	16	3	19
Native Christians.....	128	60	188
Arabs.....	18	0	18
Chinese.....	5,747	341	6,088
Malays.....	2,561	2,289	4,790
Buguese.....	666	576	1,242
Javanese.....	174	93	267
Natives of Bengal.....	209	53	262
Ditto of Coromandel.....	772	5	777
Caffres.....	2	3	5
Siamese.....	5	2	7
	10,307	3,443	13,750
Troops and followers.....	492	122	6,110
Convicts.....	248	4	252
Total.....	11,047	3,569	14,616

Total amount of Imports during the year 1826. Dollars, 6,863,581  
Do. Do. Do. 1825. 6,289,396

Increase 574,185

Total amount of Exports during 1826..... 6,422,845  
Do. Do. 1825..... 5,837,320

Increase 585,475

#### ORE OF ANTIMONY.

The following observations, preceding a letter on the same subject, are given by the Editor of the 'Singapore Chronicle':

'We have re-published to-day from the "Calcutta Government Gazette," a letter on the subject of Ore of Antimony. The writer, under the signature of "An old Miner," states that the ore is found

in almost every mine district in the world, and that it is so extremely abundant in proportion to the demand for it, that he has seen a mine at Padstow, in Cornwall, only worked about six months in three years, so as to keep up the price by limiting the supply, but that most of the mines in England have been abandoned from the price being so low. The writer tells us that he speaks from experience, and we are unwilling to doubt it: we may however be permitted to ask how this extreme abundance of the ore in England is to be reconciled with a considerable importation of antimony from abroad, under all the disadvantages of an import duty of 20*l.* a ton?

We take the following passage from a book published in London, by a Mr. Bingley, in 1821.—“The only mine of antimony in Britain of any importance, is at Glendinning, in Dumfries-shire. It was discovered in 1760, in searching for lead ore, but was not regularly worked till 1768. In the first five years, about a hundred tons weight of antimony were obtained from it. This, at 8*l.* per ton, produced the sum of 8,400*l.* The undertaking was afterwards relinquished; but as the price of antimony is now at least thrice what it then was, it is supposed that this work, if resumed, might prove an advantageous speculation. The vein of ore is only from eight inches to a foot and a half in thickness.”

The following is the letter on the Ore of Antimony, addressed to the Editor of the ‘Government Gazette,’ at Calcutta:

SIR,—I am induced to trouble you with a few remarks on a paragraph which has lately appeared in the “Singapore Chronicle,” relative to the Ore of Antimony; for the observations evince a very imperfect knowledge of the subject, and are calculated to deceive the good folks of that promising settlement.

I shall presume, that your readers are acquainted with the observations I allude to, in which the informant of the “Chronicle” betrays a total ignorance of the terms used by the miners of England, for he speaks of veins leading to more solid masses, called loads; now the fact is, that veins and lodes, (not loads, as he spells it,) are synonymous, and the latter is merely a technical term, and whether the vein be one inch or two, or three feet wide, it is still but a vein or lode, and where it divides into ramifications, it is said to *branch off*, and where the ore is abundantly deposited, it is said to form *bunches*, which is very frequently the case where the branches of a lode re-unite. “Pickers,” also, are described by the “Chronicle’s” informant, “as short handled choppers, used in all mines, for cleaning, by cutting off the outer coat of sand and waste from the ore.” Now, the fact is, that no tool called a “picker” is used in the English mines, and the use of the pick (which may probably be meant) is entirely confined to under-ground operations, being a small pick-axe, with its head long and sharply pointed on one side, and the other short and flat, for breaking stones. The cleaning of ores,

technically called dressing, is effected by totally different tools, and in a variety of ways, according to its nature and quality; when brought to the surface, in large masses, it is first broken by round-headed sledge hammers, then pounded down with flat hammers, on large cast-iron plates; then divided by sifting through different sized sieves, for subsequent dressing, and frequently, where the matrix is separated in the first pounding, such pieces as have not any ore adhering to them, are picked out by children, on a table; where the ore is tolerably free from the gangue, it is merely reduced by pounding to the size of small peas, but when it is intimately blended with its matrix, it is more finely pounded, and washed by a stream of water in long troughs, or in sieves in deep pits filled with water, and in a variety of ways, according to circumstances. The ores of copper, tin, lead, silver, antimony, cobalt and bismuth, are subjected to the same processes, with but slight variations in cleaning or separating them from their matrix, which is technically called the *deads* or *attle*.

‘ The sulphuret of antimony occurs in primitive, transition, and secondary rocks, but never in “sand,” to which the experienced gentleman refers; nor can the ochreous matter, which I have seen adhering to the ore alluded to, as brought from Borneo to Singapore, be denominated “waste,” for it is a carbo-oxyd of antimony, capable of reduction, and known to mineralogists as antimonial ochre. So much for the mining knowledge of the “Chronicle’s” informant. ’

‘ Now to the more important point of the commercial value of the ore of antimony, which is a matter of some consideration, when it is proposed to load ships with it. It is found in almost every known mine district in the world, being abundant in England, Scotland, France, Saxony, Hungary, Tuscany, Siberia, and Chili, without mentioning its habitat to the eastward of us, not only in the Archipelago, but on the Continent.

‘ When I say abundant, I mean in regard to the demand, which is so limited, that I saw a mine near Padstow, in Cornwall, only worked about six months in every three years, so as to keep up the price by limiting the supply, but most of the other mines in England have been abandoned from the price being so low: the crude ore is not saleable at any price to the consumers at home, but is made merchantable by partial reduction in close crucibles; I mean to the state of a pure proto-sulphuret of antimony, not a reduction to the regulus, which the consumers usually effect themselves.

‘ I will now recapitulate, to the best of my information, the uses to which antimony is applied, that your readers may be enabled to judge how far it would be prudent to export it from Singapore, in any quantity.

‘ In printing-types, the regulus of antimony forms about one-fifth

part, in the best pewter one-sixth, in hard pewter one-twelfth, in queen's metal one-twelfth, in britannia metal, or tutania, one-fifteenth, in one kind of *white metal* one quarter, and in another kind one-sixtieth.

'In tinning, it is used with tin, in the proportion of a fiftieth, but in soft solder and speculum metal its use has been discontinued. In medicine the use of the oxyd of antimony has been long known, but it is not, I believe, so general as formerly. As a pigment, for colouring the eye-brows, &c. its use has been confined to Asiatics; but it may not be so generally known that the beautiful orange-dye of the calico printers is obtained from antimony. These, however, are all the uses to which it has yet been applied, excepting some unsuccessful attempts that were made to improve the quality of certain descriptions of iron, by fusing it with a portion of antimony. Supposing, then, that about two hundred piculs sold at 18*l.* per ton, in *bond*,\* it could not have paid the importer more than 3*l.* per ton, and from what I have already stated, in regard to the general prevalence of the ore, and its limited use, it must be obvious that a considerable importation would be unsaleable at home, unless at a very reduced price.

'Should you think proper to give these remarks a place in your paper, they may probably serve to moderate the views of our Singapore friends: at all events they are founded on experience.'

#### SUPPRESSION OF PIRACY IN THE EASTERN SEAS.

'This subject has been deemed of such importance to the safety of commerce in the Eastern seas, that several successive articles have appeared in it, both from the pen of the Editor and from correspondents of the '*Singapore Chronicle*;' to each of which we give a place. The following is the first article from the paper of Dec. 21, 1826:

'No concerted measures have as yet been adopted with the Netherlands Government in this country (India) for enforcing the fifth clause of the treaty of 1824, by which the contracting parties engage to *concur effectually in suppressing piracy in those seas*. As the consolidation of our incorporated settlements to the eastward is taking effect at the same time with important changes in the Dutch colonial policy, we hope a subject which affects so materially the interests of commerce (those bearing on humanity being for the present laid aside) will not escape attention.

'Whatever objections may have been justly urged to the general system of Dutch policy, as exhibited in the government of their Indian possessions, it is not to be denied that its effects in checking and suppressing the piratical disposition of the Native states have been great and beneficial. Through their numerous stations in

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\* 'If the ore of antimony be used for home consumption, it is liable to a duty of 20 per cent. *ad valorem*.

Sumatra, Borneo, Celebes, and the Moluccas, they have been able to exercise an influence (more powerful than the direct control of force will ever be on such a cause) over the Native Powers situated in those widely-scattered countries, and by pecuniary disbursements and pensions, liberally and largely bestowed on the more powerful chiefs, they have gained *their* neutrality, if not their co-operation, in measures for checking the piratical disposition of their vassals and subjects. These advantages, it is true, have rather followed than guided their policy, and had it been intended to allow other nations to participate in them, we should have had no cause to repine at the extension of Dutch dominion. The system of *exclusion* is one, however, that must be now to a great degree, if not altogether abandoned; and along with the policy which chiefly dictated their occupation, will probably follow the abandonment of many of the Dutch posts in the neighbouring islands. The island of Biliton has been already relinquished, and the same is likely to take place with regard to many, if not all the stations on Borneo, that *Land of Promise*, held out to our expectations in the 3d article of the *dead letter* treaty, but from which we still continue to be as effectually excluded by the operation of Dutch fiscal regulations and restrictions, as if the doom of the venerable Israelite was suspended over our admission. Not even the *soles of our feet* can we place upon it, with their concurrence, for any *legitimate* purpose.

In 1824, it will be recollected that an embassy reached this port from the King of Borneo Proper, and a perfect understanding having been established of the free and unrestricted footing on which we wished to open a commerce with all the world, an improving trade has been since pursued with that part of Borneo; and the persons engaged in it (some of them of great interest in their country) seem perfectly alive to the necessity of maintaining peace and tranquillity, in order to improve the advantages of the intercourse. A similar feeling will, we feel assured, be established as soon as the other states on that vast island have been thrown open, as they ought, and no doubt will be, to the same influence; and we hope this will more than counterbalance the reduction of the Dutch military establishments. A certain force will, however, notwithstanding, be always necessary; and its nature and distribution, in order to be most efficient, is deserving of serious attention.

It seems evident to us that steam-boats ought to enter largely into the composition of such a force. Their speed, their light draught of water, and their perfect efficiency against the wind, or without any wind at all, are qualities which fit them particularly for the service on which they are to be employed; and for the navigation of these seas generally, and we think from the experiments which have been already made by the Dutch Government on the coast of Java, that this description of force is likely to be as economical as it is efficient. As it is not contemplated that they should be employed

in operations requiring the use of heavy ordnance; we would not recommend for the largest steam-boat more than two long brass guns. A greater number would impede her sailing, and require such a number of a particular description of men, as it would not always be easy to supply; and we think, besides, that their room could be more advantageously occupied by soldiers with musketry. To these we might not disdain to add the means of annoyance ascribed to some of the American steam-boats, (with what truth we know not,) we mean, machinery for projecting boiling hot water, a most suitable application to the naked body of an infuriated Malay, and, perhaps, more calculated than any other to impress him with a degree of salutary terror. The very exhibition of such a power would do good.

The line of co-operation is fortunately well defined, on which, with reference to the course of the national commerce, the assistance of the English can be required, and it may be stated, in general terms, to extend from the Straits of Sunda to Penang, embracing the south coast of Sumatra and the western coast of Borneo. This line, for the objects in view, may be divided, we think, with advantage at the south-eastern point of Lingin, leaving the portion betwixt that point and the entrance of the Straits of Sunda to the Dutch, and from the same point to Penang to be undertaken by the English, including the aid which will naturally be afforded by the Dutch station at Rhio.

In the proportion thus allotted to English surveillance, that part which lays between Singapore and Penang may be left to the cruizers of his Majesty and of the Company passing in the common course of service up and down the Straits of Malacca, and to the steam-boat attached to the establishment for the use and convenience of the higher members of the Government. Lingin and its islands have been long known as the favourite haunt of pirates. They lurk among innumerable islets and channels which surround its coast, and are always ready to emerge from their insidious concealment when they perceive an opportunity of acting with advantage. The mere movements of steam-boats among those channels would, we are confident, have the effect of dislodging those banditti without firing a shot.

\*Pulo Radong,\* well known as the central point of the chain of islands scattered over the sheet of water stretching to the north-west of Lingin, appears to us well calculated for the rendezvous or station from which our operations might have been directed; and, perhaps, the establishment of a small military post there for the purpose of protecting the supplies necessary for the service might

The meritorious Horsburgh assigns in his Directory a wrong latitude to this island, which he states to be 1 deg. 21 min. S. It may, perhaps, be in 0 deg. 21 min. N., but certainly it is not in south latitude, as the little Domino is very nearly on the equator.



be advisable. On the supposition that three steam-boat cruisers should be employed, one would stretch from Pulo Radong to the south-eastern point of Lingin; another would proceed along the north-western and western shore of Lingin to Puly Varella, sweeping occasionally the mouths of the Jambie and other rivers on the southern coast of Sumatra; and the third cruiser, passing through into the Straits of Dryon, might enter those of Singapore, and return to her station by any of the common courses. These we merely venture to state as the line of cruising suggesting itself as most effectual in clearing the Straits in our immediate neighbourhood. What refers to the coast of Borneo must form the object of particular arrangements to be made when circumstances should call for them, and inferring, perhaps, the employment of not less than two of the cruisers to be detached from Pulo Radong at stated times, on a plan concerted with the Dutch commanders or authorities.

‘The expense attending these operations will, no doubt, be very considerable, but we do not see how the object in view can be so effectually and more economically obtained. As soon as the Straits should be cleared of the contemptible marauders of the *Orang-laut* genus, we would recommend as a most salutary measure that all trading prows should be disarmed, excepting in so far as may be necessary for their defence against petty robbery. These prows, when strongly armed, are in general so for the purpose of pursuing piratical depredations when an opportunity offers; and having, in their character of trading prows, the means of ascertaining the strength and circumstances of vessels quitting our ports, they are enabled to concert with each other the measures best calculated to intercept them. No prow should in any case be allowed to carry (what we so frequently see them have) heavy guns mounted on strong bulwarks on the fore part of the boat. These are evidently for offensive and not defensive warfare, and we think that one or at the utmost two guns of small calibre, mounted on the taffrail, is all that can be necessary for the latter purpose, under the system which we have taken the liberty of recommending for the establishment of steam-boat cruisers.’

The following is the letter also adverted to in a previous page, on the subject of piracy in the Eastern seas, addressed to the Editor of the ‘Singapore Chronicle:’

‘SIR—With reference to that article of the treaty between Great Britain and the Netherlands, which provides for the extirpation of piracy, by the combined efforts of both powers, and Singapore being now established on a permanent footing, I take the liberty of submitting the following ideas on that subject.

‘These ideas have been before submitted to the local authorities; but while Singapore was annexed to Fort Marlborough, it was considered expedient to defer these matters until the occupation of Sin-

gapore should be confirmed: the same considerations existed while the settlement was under the Supreme Government, and when I conversed with Mr. Crawford on the subject, that gentleman seemed to incline to the employment of steam vessels solely.

At the present day, from the more enlarged intercourse of the Natives with Europeans, piracy is on the decrease, and is carried on in comparatively small craft to what were formerly used, or are at present, to the eastward. The prahus generally made use of vary in length from fifty to sixty feet, in breadth from eleven to thirteen, and draw from five to seven feet water. They are of the description called lanchang, and carry from twenty-five to thirty men. Taking advantage of their easy draft, they conceal themselves along the shoal shores of these parts, among the creeks found every where in the mangrove jungle, and thence issue forth upon some passing defenceless prahu. It is seldom they cruize far from shore. European vessels have scarce a chance of meeting pirates, and if they do, it is difficult to distinguish their craft from Malay trading prahus.

But, admitting that a European vessel of war does meet prahus engaged in piratical pursuits, their situation prevents the vessel from acting, and it becomes necessary to employ the crew in boat service, peculiarly hazardous; as the prahu, anchored in smooth water, armed with heavy ordnance, and her crew protected by their ampekan or mantlet, would be enabled to do considerable execution upon the assailants.

I have before mentioned that Mr. Crawford considered steam-boats best adapted for this service, and the opinion has been advocated in the public prints. If a steam boat had a fair view of a pirate prahu, there is no doubt she would overtake her; but how is she to perceive her, concealed, as I have stated, among the mangroves?

I have therefore always considered that boats of a superior construction to the lanchang, of easier draft, and greater speed, rigged in such manner as to entice the pirate prahu from their lurking places, would be most effectual. Something similar to this appeared eligible to Captain Campbell, of H. M. S. *Cyrene*, who lately disguised two of his boats to resemble trading prahus.

A boat between fifty and sixty feet long, built for pulling or sailing, would cost, *probably*, between four and five hundred dollars. Her crew, say twenty-five men, might be paid and fed for about one hundred and sixty dollars per mensem.

Four boats of this description, armed with two, twelve, or eighteen, pound carronades, and having a small party of Golundauz, appear quite sufficient to clear the Straits. One should leave Prince of Wales's Island weekly, and another Singapore. They should strictly examine every creek between these places, and detain all

suspicious prahu. Thus a constant surveillance would be exercised, which would effectually clear our side of the Straits.

'Part of the expenses might be defrayed by employing the boats as packets, and government would have the advantage of a weekly communication with the presidencies.

'Should steam be preferred, an engine of five-horse power would be sufficient; but the expense of fitting out and keeping up steam boats of the size would be very considerable: the funnel would immediately indicate what they were; and instead of pirates being deceived and enticed out from such lurking places as might escape examination, they would conceal themselves more strictly.

'But it is probable that preventive measures would be more efficacious, and the following appear most likely to ensure the desired result:

'1st. The principal pirate stations are Podé Pama, Seaman, and Timiang, under the Native chief of Rhio, and Mora Trano, Sughi Gallang and Pakakas, under the Tomonggong: a concerted expedition between the British and Dutch might proceed to these and other piratical places, and insist that the prahu and ordnance should be given up at a fair valuation, as depriving the owners of them without a fair equivalent would, according to the ideas of the Orang Laut, ensure the assistance of heaven in future piratical expeditions.

'2d. All trading prahus should be required to procure a pass from the local authorities at the port to which they belong; in this should be specified the number of the crew and arms, with a detailed description of the latter. Should any prahu be found in a port, or, by a cruiser, to have more or less arms or men than specified in the pass, she should be detained for examination.

'3d. The Malay chiefs have no longer any interest in encouraging piracy, or in enabling pirates to escape detection. And I have no hesitation in asserting, that the chiefs of Patani Kalantang, Tringanu, and Lingin, the Irang Di Per Tuan Muda, at Rhio, the Bandahara, at Pahang, and our own chiefs, would, if required by the European powers, concur in the above measures. I cannot speak so positively of the chiefs along the Sumatran shore, but have no doubt Mr. Anderson, of the civil service, would entertain an opinion of their being equally well inclined. The whole might be required to carry the second measure into effect upon all the ports subject to their authority.

'As the ideas of a person who has turned his attention to the subject for many years, (even if inaccurate, by an exposition of their fallacy,) may afford some assistance towards forming a plan for the extirpation of piracy, and consequently for the security and increase of Native trade, I flatter myself you will excuse the liberty I have taken.'

The consideration of the Suppression of Piracy in the East had drawn forth another Letter, addressed to the Editor of the 'Singapore Chronicle,' which is as follows :

'The anonymous letter on piracy which appeared in your last Paper, though pretty perfect, may yet perhaps admit of the further agitation of the scheme there proposed, in the following remarks.

'In the fifth paper published, or the "Singapore Chronicle" for 15th April 1824, the leading article is an essay on this very subject, in which a correct account of the state of Malayan piracy appears, together with some suggestions for its suppression.

'The numerous instances recorded in the "Chronicle," since Singapore has been established, of the annoyance given to, and plunder of Native traders, sufficiently show the necessity of some protection from Government. Measures being now in progress for the attainment of this most humane and desirable object, I trust you will kindly insert this letter, which may perhaps in some degree assist.

'With reference to the boats used by the pirates, I am of opinion that the description of them in the essay in No. 5, is more correct than that in your last paper. I concur in the adoption of *preventive* rather than *coercive* measures, and would suggest the following plan :

'1st. That one or two armed steam-boats, such as the *Comet* and *Firefly* of Calcutta, be kept up, having a complement of men sufficient merely for their management ; with one good boat, capable of carrying a 12-pounder carronade, and twenty men attached. They should be able to carry six guns 12-pounders, and be constructed like the river-built steam-boats at home, drawing about four feet water when ready for sea.

'2d. That a European should be attached, who could speak Malayan, and write and read English.

'3d. That the Dutch Resident at Rhio should be consulted on the subject, and the Dutch armed vessels, with his permission, be sent in company with the English fleet, from Rhio round to every Native chief of any consequence, between Lingin and Penang, visiting both sides of the Straits of Malacca, to induce them to co-operate, or use *such argument* with them, as would ensure their compliance.

'I cannot agree with the writer of the anonymous letter in your last, when he says that the Malay chiefs have no longer any interest in encouraging piracy. I look upon the essay in No. 5, as much more correct on this head ; it is indeed a notorious fact, that they are the main props, and should they withdraw their protection and assistance, piracy would cease to exist.

'Who are the chiefs of the pirates ? who gives them the *means* of carrying on their depredations ? and where do they find a market for their booty, and an asylum ? The *interest* the Malay chiefs have in the business, must account for what would be otherwise an extraordinary proceeding of the commanders of pirate boats.

'It is well known that Lingin alone sends forth twenty boats at least yearly, towards the end of the S. W. monsoon, to the Straits of Malacca, which invariably return on the setting in of the northerly monsoon, with prize property enough to subsist these barbarians, in all the luxury of intemperate indulgence, the remainder of the year.

'Of the ports on the west side of the Straits of Malacca, Mr. Anderson, referred to by your correspondent, states, that Sink and Recean are of bad character: aye, that they are! and he might have added fifty more. Campar is perhaps the only one of real safety to the Native merchant, and this may also be added to the list of *bad ones*, on the demise of the present chief. I must allow that your correspondent has selected those Native chiefs most likely to come into the adoption of restrictive measures, in his list, following his assertion of the Malay chiefs having no longer any interest in these vile practices.

'Should the adoption of steam, to extirpation, be impossible, I would recommend three or four Malay pirate boats, fitted precisely in their own way, but better armed and manned, as the best expedient, and to proceed in the way before detailed; but neither his boats nor these could act as packets: if they did their duty, and made vigilant search in all the ports between Penang and Singapore, a month would be a quick passage. Steam, however, might do this double duty. The movements of the steam-boats would be so quick, and Penang, Malacca and Singapore form so happy a division, that it would not be necessary to have troops always on board: they might be embarked in such numbers at any of these places as the emergency called for.

'The first preventive measure recommended by your anonymous correspondent would be attended with no small expense; making a rough guess, with no pretensions to truth, but falling far short of it, I might say that the Honourable Company, by giving a fair equivalent, for excess of arms, ordnance, and pirate prabus, taking no account of their more destructive and very valuable small arms, would add to their stock, in brass guns, at Lilah, Rantaka, Mariam, &c. &c. 1000, and boats 100: taking the former at 1 picul each, at 50 Spanish dollars per picul, and the boats at Spanish dollars 200 each, it would take the large sum of 70,000 Spanish dollars, with the satisfactory feeling of having deprived these barbarians of part only of their means of offence, and that part of least use to them, invariably more noisy than destructive; and placing the above large sum at the disposal of wretches who could hardly be expected to make a good use of it.'

#### IMPORTATION OF MILITARY STORES.

- A letter dated Malacca, 13th December 1826, and addressed to the Editor of the 'Singapore Chronicle,' contains the following remarks:

"Sir—I have observed with satisfaction the decision of the Government regarding military stores imported into your settlement.

"The extension of the period within which the exportation of the present stock is to be permitted is but fair and reasonable.

"A general opinion seems to be held that the Act 53 Geo. III. applies at present to the importation of such stores; but I believe this is not the case, the same having been rescinded by the 4th Geo. IV. cap. 80. entitled an "Act to consolidate and amend the laws with respect to trade from and to places within the limits of the charter of the East India Company, and to make further provision with respect to such trade."

"The second section of this Act is as follows: "It shall be lawful for any of his Majesty's subjects, in vessels navigated according to law, to carry on trade and traffic in *any goods except tea*, as well directly as circuitously, between all ports and places belonging to his Majesty, or to any prince, state, or country, in amity with his Majesty, and all ports and places whatsoever situate within the limits of the charter of the Company, except the dominions of the Emperor of China; and also from port to port and from place to place within the same limits, under such rules and restrictions as are *hereinafter* mentioned; any thing in any act or in any charter of the said Company to the contrary notwithstanding." That the legislature conceived the restrictive clauses of the 53d of Geo. III. as regards trade, to be rescinded by the other act just quoted, is evident from their adding, with other qualifying clauses, one on the very subject of military stores. The clause in question is contained in the 5th section of the 4th Geo. IV. cap. 80, and to the following effect: "Provided also, that it shall not be lawful for any person to carry any military stores to any place upon the continent of Asia, between the river Indus and the town of Malacca on the peninsula of Malacca, of Malacca inclusive, or to the said Company's factory of Bencoolen in the island of Sumatra or its dependencies, save only the said united Company, or such as shall obtain their special leave in writing, or a special leave under their authority for that purpose."

"Here, however, nothing is said of *islands north of the equator*, and the only means by which the prohibition can, in a legal point of view, be brought to bear on your settlement is, by the Act of Parliament (the 5th of Geo. IV., I believe) transferring Singapore, Malacca, and the other Dutch settlements ceded by the treaty of 1821 to the East India Company, to be held and governed in the same manner (subject to the same authorities, restrictions, and provisions) which they held Bencoolen and its dependencies.

"Whether a transfer of so general a nature will be considered by lawyers to embrace *all* the statutory enactments in force regarding Bencoolen, is a question which, thank God, I am not a lawyer

enough to entertain ; but some of your readers may be better qualified, and I throw it out for their consideration.

#### GENERAL NEWS FROM CHINA.

We have extracted a few interesting notices regarding this country from the 'Malacca Observer' of the 5th of December, which will be found below. The accounts of the rebellions in Western Tartary are of an alarming nature.

The 69th Number of the 'Peking Gazette' has been received, and some extracts of imperial edicts from later Numbers, up to the eighth day of the 7th moon.

It appears that Sung Tajin, the aged companion of Lord Macartney, is still in the enjoyment of health sufficient to enable him to undertake an imperial commission to the province of Shan-se. His situation as President of the Board of Rites, is filled up by another person during his absence.

In the island of Formosa there has been an insurrection of the inhabitants, or an invasion of the Natives, for the final suppression or repelling of which the local officers are rewarded by his Majesty.

At Ele, the funds prepared by Government for the purchase of horses to supply the cavalry, are directed to be lent at interest to merchants, for the purpose of raising a sum to keep the banks of locks of adjacent rivers in repair.

An Yu She (or censor) has written largely to the Emperor against the practice, fast creeping in, of neglecting to store up rice in the public granaries for the supply of the people in times of scarcity. He speaks of some recent cases, in which all that Government possessed, was totally insufficient to afford the least relief.

A naval officer from the coast of Chekeang writes to the Emperor to say, that at the season for catching the hwang yu, (said to be the sturgeon,) the fishing-boats were very numerous, and he was apprehensive they might have other pursuits than fishing, which induced him to watch them narrowly, but he found nothing amiss.

The province of Hoonan furnishes timber for his Majesty's use, and annually a number of trees are floated, or otherwise conveyed, to Peking. The raft of this year, on its way to the north, was by some accident set on fire, and 670 spars were burnt. The official people in charge of the timber are required to pay to Government the value of them.

In Keang-nan province it is said, that at the autumnal execution, when the death-warrant from Peking arrived, the local officers, or their inferiors, decapitated one prisoner instead of another by mistake ! The Emperor, in his censure, says that of late years, in many of the provinces, similar mistakes have taken place. He directs that the superior officers exert themselves more to distinguish

the prisoners, and trust, less to their inferiors. Also, that more troops be drawn out to prevent confusion among the crowd.

A person involved in debt, and dismissed from his situation, who belonged to a Tartar nobleman, repaired to the house of one of the parties concerned, and hanged himself. The Emperor suspected some unfair proceeding; or some other cause than the assigned one, and ordered a trial to be instituted before one of the chief officers of state. It was gone through, but nothing discovered to implicate the nobleman.

A party of street robbers in Peking, who have been brought to justice, gave themselves out as custom-house searchers; and having committed a robbery near a temple, one of them assumed the character of a priest.

Canton, October 18, 1826.—Extracts from the "Peking Gazette" have been some days in Canton, containing papers issued by the Emperor about 50 days anterior to the date of this. From this it appears that a serious rebellion has broken out in Western Tartary. The leader, Chang Kih Urh, is represented as a Mohammedan, and the head of certain descendants of a former rebel. He has been joined by Tartars called in Chinese Poo-loo-tih, and by the white-capped Mohammedans about Kashgar. According to Chinese maps, in the Company's library here, the seat of the rebellion lies in lon. E. 78. lat. N. 40, and the surrounding territory, which the Peking Gazettes represent as desert and thinly inhabited. However, the official documents from his Majesty indicate considerable anxiety on the subject. He has ordered seventy officers of reputation to appear before him, that he may select thirty, to proceed with the greatest expedition to the seat of war. From the north-west provinces of Shense and Kansuh he has ordered 20,000 men to advance; and even from Manchow Tartary, troops are commanded to proceed to the westward. He has given absolute power over the army to CHUNG-ling, the commander-in-chief at Ele, (the Ill of D'Anville,) who about ten years ago was governor of Canton. Two general officers are united with him as a council; but the imperial seal is given to him, which authorizes him to act individually and independently, in all matters, whether of life or death, or great or small. Kansuh and Shantung provinces are ordered to supply provisions, &c., for the army in advance against the Mohammedan rebels. His Majesty commands a union of clemency and severity: The arch-rebel Houssa, if he will submit, is promised life; whilst, to every human being opposing the imperial forces, total extermination is threatened, and the army instructed to inflict it. Two officers of rank in the imperial army have already fallen, and funeral orders have been decreed. From the spirited arrangements which have been made, and the number of troops brought forward to the scene of action, his Majesty anticipates a speedy and glorious result. The



people of Canton consider the late disturbances in Formosa as trivial, but the Tartar rebellion as a serious national affair.

'Canton, October 24, 1826.—The paper of to-day states that his Excellency the Governor of Canton has received an express from the board of revenue at Peking, informing him that it is not necessary to forward to court the sums arising from custom and duties, which happened to be in the provincial treasury. The date of this dispatch does not appear, nor is any reason assigned for countermanding a former order. Whether it indicates less apprehension for the Mohammedan rebellion under Chang Kih Urb, or arises from anxiety about the insurrection in Formosa, at the opposite extremity of the empire, is not easy to determine.

'The deputy-governor of Fuhkeen province, not having given satisfaction respecting Formosa, the deputy-governor of Shantung is directed to proceed thither immediately, with full powers to put in requisition the troops that may be necessary, under certain limitations as to the rank of officers who shall be under his command.

'Canton, October 30, 1826.—His Excellency Governor Le has issued two more proclamations, copies of which have been received. One is directed against gamblers, inns or houses on shore, and boats on the river, which are opened for their reception and encouragement.

'From the gaming houses, where time and property are wasted, the desperate loser is often driven to robbery and murder to supply his wants. His Excellency laments that the police appointed to suppress gaming receive bribes to connive at and encourage it. He exhorts the infatuated gamester to abandon his infatuated pursuits, and Government will not inquire into the past; if not, punishment must be inflicted.

'The other proclamation is directed against the Lingting smugglers, who have of late, the Governor says, proceeded to the most daring and desperate lengths, even to fire upon the Government boats sent on the preventive service.

'He describes a class of boats containing thirty or forty oars, and carrying fire-arms, which are called in Chinese, '*fei hae ting*,' '*swift crab boats*.' When smuggling fails them, they become pirates. His Excellency advises them to break up their boats, and return to lawful callings, otherwise he will employ force against them, and punish them capitally.

'It is said that on the accession of the reigning Emperor a number of the persons formerly belonging to the famous pirate Chang-paou-tsae, who, on submitting to Government, had been transported, were allowed to return to Canton. But their faces were branded indelibly as pirates, and no persons will employ them in lawful pursuits; hence they are forced to have recourse to smuggling and piracy for a subsistence.

The "Peking Gazette" mentions a thousand families of wandering Tartars unprovided for anterior to the breaking out of the rebellion. It is reported that one of the generals who led forth troops against the rebels, has, with his division, either totally perished, or been taken by the enemy, as he has not been heard of since.

#### NETHERLANDS INDIA.

The intelligence from Java, received through Holland, is more favourable than it has been for some time past. The following is the latest communication that we have seen:

*Batavia, March 10.*—In the residency of Soerakarta, a combined attack has again been made on the insurgents in Padang, which had a no less favourable issue than the first, and has produced the best effect on the petty chiefs in the populous district of Padang: Lieut. General de Kock having received, from the highly zealous commandant of Klutton, a most numerous list of chiefs of Dessas, who have submitted, and continue daily to come in for that purpose.

From Djocjocarta, the most favourable reports continue to be received; only provisions, which had fallen to a moderate price, had again become rather dearer.

It was hoped that this would be remedied by a consignment of rice to Djocjocarta.

In the residency of Kadoe, Colonel Cleerens had again made an excursion towards Bagelleeh, in consequence of which some more chiefs had submitted. The principal rebel, Dipo Negoro, accompanied by several of his adherents, had gone from Ban oe Oerip towards Padang, leaving only a small force at the first place.

The presence of a column of Major Van der Wyck, in Probolinggo, had hitherto had the best effect. All the movements of the enemy there are baffled; and only a few days ago a troop of insurgents, who appeared disposed to take a post at Bligo, were driven from that place by this column. In general, the people of that district enjoy all the tranquillity that can be wished; and several of the chiefs being assembled at Blabak on the 27th of last month, gave the resident at Kadoe solemn assurance of their fidelity and zeal.

#### PERSIANS AND RUSSIANS.

The following is the latest intelligence from the army in Georgia, and is contained in a letter from St. Petersburg, dated July 4, 1827:

In consequence of the testimony given by General Paskewitsch to the fidelity and zeal of Colonel Sultan Akmet Khan, of Elisowy, in 1826, during the irruption of the Persians into the Musulman provinces united with Russia, by which conduct he maintained tranquillity in his possessions, in the midst of the Isesghees, and the inhabitants of Sheki, who had revolted, the Emperor has been pleased to appoint him Knight of the Order of St. Anne of the second class, and to give him the insignia in diamonds.

On the 7th of May, a caravan of 106 camels loaded with cotton yarn, and other goods, from Bukharia, arrived at Troitsky.

Upon information that Hassan Khan was on the right bank of the Araxes, with some cavalry, opposite a convenient ford, and that he hindered the inhabitants of the left bank from returning to their villages, General Benkendorff advanced, on the 6th of June, from Etchmiadzine towards Sardar Abad, with a battalion of the 40th regiment of Chasseurs, 100 men of the regiment of Grenadiers of Georgia, two pieces of cannon, and 950 Cossacks.

On the 8th, at five in the morning, he arrived at the village of Feuda, one werst from the Araxes. By the reports of the Armenians, Hassan Khan had really been in that village with his cavalry, 500 infantry, and three pieces of cannon, but had hastily left it at day-break, and gone farther down the river. The Armenians also declared that the inhabitants were in the mountains, at least sixty wersts from the banks of the river. General Benkendorff desiring to ascertain the enemy's force, undertook to reconnoitre in person; and leaving the chasseurs and the cannon on the left bank, he crossed the Araxes with 100 tirailleurs and the Cossacks. Two wersts from the river he occupied the village of Khan Marnot, and ordered Major Verbitzky, commanding the 4th regiment of Cossacks, yielding to the solicitations of that officer, Gen. Benkendorff permitted him to attack the Persians, who approached to the number of 200 men, but he enjoined him to be very circumspect not to separate from the detachment, and he at the same time gave orders to Colonel Karpoff to hold himself in readiness with the rest of the Cossacks. When he learned that Verbitzky was advancing, he sent Colonel Karpoff to support him. The enemy retreated towards the mountains, passing before the village of Kassim Djan, and drew the Cossacks into strong ground, intersected by ravines, where Major Verbitzky, led away by his bravery, fell upon the Persians, and had nearly broken their right wing, when a considerable quantity of cavalry, which had been in ambush, took the Cossacks on the flank. In this attack Major Verbitzky and Captain Ouschakoff, of the regiment of Karpoff, were killed. The Cossacks defended themselves bravely, but, deprived of their commander, and overpowered by numbers, they were obliged to fall back. The arrival of Colonel Karpoff stopped the pursuit of the Persians, and obliged them to retreat towards the mountains.

Besides the two officers, the Cossacks lost 102 men. The enemy lost above 200 men, including ten officers, whose horses were taken by the Cossacks.

Mirhaidar Khan, of Great Bukharia, having died last year, M. Hussein, his eldest son, succeeded him; but he dying, after a reign of four months, Qamer, the third son of Mirhaidar, seized on the reins of government, contrary to the rights of Batzyr, the second brother, the legitimate heir to the throne. Batzyr Khan assembled

his partisans, took several towns, and besieged the capital, where Oamer held out for two months; but being in danger of famine, he was obliged to leave the capital and the government to his brother, Batzyr, who was acknowledged by all the inhabitants of Bukharia. It is said that the new Khan is already preparing troops to march against Tashkerit.

#### NEW DIRECTOR.

The only event of interest that has taken place, connected with the home government of India, has been the election of Colonel Lushington to the Direction, after a severe contest against Sir William Young, of which we give the official report below.

On Wednesday, the 25th of June, a ballot was taken at the East India House, for the election of a Director in the room of Edward Parry, Esq. deceased. At six o'clock the glasses were closed, and delivered to the scrutineers, who reported the election to have fallen on Lieut.-Colonel James Law Lushington, C.B.

For Colonel James Law Lushington.....	794
For Colonel Sir Wm. Young.....	698

Majority in favour of Colonel Lushington..... 96

It would appear from the advertisement since put forth by Sir William Young, that he intends going again to the ballot on the next vacancy, on which the contest is likely to be pretty general, as we find Mr. Fergusson, Mr. Mackinnon, and some others, entertaining the same intention.

#### NEW GOVERNOR-GENERAL.

The appointment of a new Governor-General for India is an event of greater importance, as upon the personal character and fitness of such an individual for the high post he is appointed to fill, must depend greatly the usefulness and success of his administration. In our anxiety to express our sentiments with as little delay as possible on this occasion, we gave publicity to the following article in the pages of the SPHYNX, but, as it will be more strictly in place in these pages, we here transcribe it:

"We shall always feel great pleasure in being able to qualify any general censure which we may feel it our duty to pass on any class of men, by citing the names of individuals who have proved themselves worthy to be excepted from it. In our last Number we took occasion to comment on the appointments of Colonial Governors, and to draw the attention of our readers to the defects of the system, as illustrated by the case of Lord Charles Somerset; we objected to the almost indiscriminate nomination of General Officers, whom, as bred in the despotic doctrines of military discipline, we deem ill adapted to govern on those sound and liberal principles which, as Englishmen, we insist upon at home, and have no right to deny to our countrymen or dependents abroad; and we pointed out the danger of irresponsibility which arises from the appointment of Noble Lords, whose influence in one or both of the Houses of Parliament precludes the hope of their ever being

subjected to punishment for any malversation, however flagrant. This retrospect of all our Colonial Governments is sufficiently gloomy. It is cheering, therefore, to be able to look forward with confidence to the better anticipations of the future, afforded us by the rumoured nomination of Lord William Bentinck to be Governor-General of India. We need not say that we entertain a peculiar feeling toward our Oriental possessions, and, therefore, that we hail with increased pleasure the prospect now opened to us.

All that we know of Lord William Bentinck's private character is amiable; all that is recorded of his public conduct is honourable; he has shown himself a soldier; he has proved himself noble; he is not a broken jockey, a ruined gamester, a reckless rake, seeking in a foreign government the means of restoring a dilapidated fortune, or a shattered constitution; but carries to the execution of his high employment a sound and honest judgment, undiverted by the cares of private embarrassment, unenfeebled by bodily infirmity. With these advantages on his side, he may hold himself superior to those petty considerations of private feeling, individual interest, or personal convenience, which, in nine cases out of ten, have fettered the will of the best-disposed Governors; we have therefore a right to expect much from him, and grievously shall we be disappointed if we are deceived.

We form our anticipations of the future on our experience of the past; we take Lord William Bentinck's former life and conduct as a guarantee for his future administration. Passing by his personal courage and his military skill,\* qualities shared by him, though in unequal degree, by many hundreds of his comrades, we must proceed at once to those special faculties and qualifications which, in our opinion, render him peculiarly fit for the trust about to be reposed in him: these are, strong natural sense, great coolness in planning, and extraordinary perseverance, almost a dogged pertinacity, in the accomplishment of his object. These qualities were amply developed during his Lordship's ministry and command in Sicily; that the good effect of his measures for improving that beautiful country have not been permanent, was not his fault; it was one of the many crimes of that nefarious system for which the memory of another will be responsible to posterity. All that an honest man, overborne by superior power, could do, Lord William did: he protested against the violation of good faith while yet incomplete, and when it was accomplished in spite of his protest, he manifested, by uncompromising opposition, his sense of the insult which he had received from the minister, by having been made the unwilling and unconscious instrument of his most flagrant acts of injustice. Sicily, which had received us when Europe was shut against us, and, as the noblest reward of such alliances, had been raised to the rank of a constitutional government, was handed over to the ancient despotism under which she had groaned for ages, without a stipulation. The Genoese, who, on the faith of our proclamations in favour of liberty, had risen against the French garrison while our troops were actually fighting in their suburbs, were delivered, bound

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\* His Lordship excited the admiration of that excellent but unfortunate soldier, Sir John Moore, by the mastery conduct of his brigade at Corunna. His last military exploit was the taking of Genoa in about six hours; for the possession of Albaro was in fact the possession of the town. To gain the same position, on a former occasion, cost the Austrians about as many months, and yet they could not hold it.

hand and foot, to their most ancient and inveterate enemy and rival. Italy, which had been roused by us from the military, but in all other respects the useful tyranny, of Napoleon, was again reduced under the leaden sceptre of Austria. The good intentions professed, and to some extent manifested, in the commencement of these several measures, will ever do honour to the name of Lord William Bentinck; their scandalous terminations add to the blots on that other and very different character, to which it is his best praise to have been opposed.

Under better auspices, Lord William may be able to accomplish for India what he designed for Sicily. The experience gained by him in the one country will serve him in the other; for the work of reform has the same enemies, and nearly the same difficulties in all. He may not, indeed, encounter a Queen of Naples on some Oriental throne; but he may find some equally officious old women in the councils of his Presidency; he will not be undermined by the Jesuits, but he will often be foiled by the passive resistance of the Brahmans; he will find that priests and priestcraft are influenced by the same impulses in all climates. In the privileged classes of his own countrymen in India, he will find an order as bigoted to ancient ways, as dotingly attached to every point of self-interest, as fond of darkness, as tremblingly alive to the dangers of discussion and the horrors of change, as any he has left behind him. These will be his most formidable enemies, because he must always be in contact with them; against these he must ever be on his guard, because they have over the power of deceiving him by false intelligence. He will find no free press to counteract this influence by telling him the truth; he will miss the benefit of hostile discussion in eliciting public opinion.

Against these difficulties his Lordship will have mainly to rely on the resources of his own mind, on his own moderation, firmness, and integrity; and that he may the better exert these qualities, he will not fail to keep at due distance all candidates for his confidence, till he has ascertained the soundness of their pretensions. On this point he has the advantage over most Governors-General; India is not new to him; he has not to learn his lesson when he should put it into practice; he is not thrown into the trammels of a secretary, by his ignorance of the people, their laws, customs, and prejudices. A new Governor usually takes the turn of character of the first favourite who can gain an ascendancy over him: Lord William Bentinck will be free from this influence, not only from the nature of his character, which, as being somewhat cold and unusually reserved, affords little encouragement to sycophancy; but more materially, as his subordinate will not have the opportunity of misleading his judgment under the pretence of informing his inexperience.

We should not do our duty, however, as impartial chroniclers and commentators on events, nor should really be doing justice to the object of our eulogy, if we did not confess that there were occasional features in his Lordship's Sicilian administration which neither met our concurrence at the time, nor have yet been approved by our cooler consideration; we are willing to attribute some of the harsher and least politic measures of his Palermitan administration to that officiousness of underlings against which we are now warning him. His Lordship, indeed, was not generally fortunate in his coadjutors; these, no doubt, were imposed upon him purposely, perhaps, to curb his better genius; but we must yet hold him responsible for their acts,—they might have been

forced upon his councils, but they ought not to have imposed upon his judgment. He may, however, learn an important lesson from the fate of his subordinates:—while the military Charlatan, and the semi-military Colonel Contractor, have sunk into insignificance, the different fortunes of his Adjutant and Quarter-Masters-General, both destined to fill Colonial Governments, present an extraordinary contrast. Sir Rufane Donkin has returned from the Cape with the affections of the colonists, and with the declared approbation of his Sovereign; General Campbell died with charges pending over his head for malversation in the Ionian Islands. Lord William knew both these men; let him reflect on the advice which he received from each; and in his future confidence (it is the curse of greatness that it cannot act alone) let him reject or adopt suggestions as they remind him of former advisers; he would not often be wrong if this were his only rule for the guidance of his judgment.

All these things considered, we may congratulate the country on this new appointment; we wish, indeed, that it had possessed the further merit of having been made on purely public grounds, and not through personal connexion. Lord William Bentinck's merits and his services might long have remained unrewarded had not Mr. Canning been nearly allied to the Duke of Portland. The Premier should remember, that as he owes the foundation of his fortune to his own talents, his best chance of retaining his elevation is to rally round him men of mental ability, that setting the aristocracy of mind against the aristocracy of birth, he may place his power on a securer basis than can be formed by any cabal of personal or family interests.

The Lords of the King's most Honorable Privy Council had a meeting at the Council-office on Saturday, the 21st ultimo, to hear an appeal from the decision of the Court of Bengal, in the East Indies. The Lords present were the Master of the Rolls, the Honorable Hugh Elliot, &c. Their Lordships met shortly before 11 o'clock, when Mr. Sergeant Spankie was heard by their Lordships for upwards of two hours and a half, in opposition to the prayer of an appeal in the case of 'Biswas v. Biswas,' (involving property to the amount of near half a million,) in answer to the arguments of the appellants, whose counsel has been heard by their Lordships at a previous meeting. The appellants, in this case, are the sons of the deceased, who claim the property on the ground of having been admitted by their father into partnership with him. The case has been decided against them three times in the East India Courts, and in favour of their opponents, who are the brothers of the deceased, and who, in support of their claim, have produced a will, bequeathing the bulk of the immense wealth to them, and also to a grandson of the deceased.

After the case had been closed on behalf of the respondents, counsel were ordered to withdraw, while their Lordships came to a decision whether or not to hear the reply of the appellants to the arguments advanced by Mr. Sergeant Spankie. The counsel for the appellants were ultimately permitted to address their Lordships. Mr. Adam was then heard at considerable length, on behalf of the appellants, after which the meeting broke up.

## ESTABLISHMENT OF THE SPHYNX.

It is since the publication of the last Number of the Oriental Herald for July, that the Editor of this Journal has undertaken the publication of another, issuing more frequently than the present from the press, and calculated for the meridian of Europe, as this is for Asia. As it is right that this event, and the causes which led to it, should be fully recorded in the pages of the Oriental Herald, the Editor takes occasion to introduce here the whole of the Preface by which the first Number of the Sphynx was ushered forth to the world, as it contains the most candid and comprehensive account of his motives and views that he could put together in the required space. He begs only to add, that neither this nor any other circumstance is likely to divert his attention from the great interest to the advocacy of which he stands pledged in this Publication: but while the Sphynx is devoted almost exclusively to the Politics and Literature of Europe, the Oriental Herald will still, as heretofore, be devoted principally to the interest of India, perhaps, even on this very account, more exclusively than before. It will be satisfactory also for the Friends of that Cause which the Oriental Herald has never ceased to advocate with unabated zeal, to learn that the success of the SPHYNX, for which there is already the strongest grounds of hope, so far from lessening the exertion bestowed on the Oriental Herald, will serve materially to strengthen the means, **permanently and literary, by which it may obtain a great accession of additional talent and information; and, consequently, by which its influence on the public mind may be proportionately increased.**

The Preface to the Sphynx is so frank and comprehensive, that **not a word of further introduction to it can be necessary.** It is therefore repeated *verbatim*, as follows:

It is not usual, I believe, to usher forth a Newspaper with a Preface, this distinction being generally confined to books assuming a more important character, and aiming at more permanent duration, than works which are sometimes contemptuously designated as the mere 'ephemeral productions of the press.' But as this particular Journal will be especially characterized by the novelty of its plan, in contradistinction to that on which Weekly Papers are at present almost uniformly conducted, and by its leaving the beaten path of its contemporaries to strike out a new tract for itself, it may with the less hesitation depart from established precedent, and be as original in this first outline of its character, as it is hoped it will be in the progressive development of all the features by which it seeks to be known and distinguished among its fellows.

I proceed, therefore, to state the origin, and explain the design, of this Publication; as well as to say something of the principles on which it will be conducted, and to offer a word or two in extenuation of the apparent presumption which leads me to consider myself qualified to undertake its direction.

It is now nearly ten years since my attention was peculiarly, and I may say professionally, drawn to the study and discussion of General Politics;



during the whole of which period, I have been in the daily habit of perusing attentively most of the principal Journals of Europe. I should have been utterly devoid of the most ordinary degree of penetration, if I had not, in such a continued investigation, been rendered sensible of the merits and defects of the several particular plans by which the leading Papers of the day are respectively characterized; if I had not been able, in short, to profit by this diversity, and taught to distinguish between the good and evil which, with scarcely a single exception, enters, though in very varied proportions, into the composition of every Newspaper that is published.

By those whose experience has not made them intimately acquainted with the *secrets* of Newspaper management, (for, to the great mass of readers, *secrets* they still undoubtedly are,) it is naturally enough inferred that each individual Journal is a faithful transcript of its Editor's mind—that nothing finds a place in its columns but matter of which he conscientiously approves, and the publication of which he considers likely to promote the public welfare, for the preservation of which, all profess themselves earnestly interested.

Were there no heavy tax placed by the Government upon Newspapers, and less of that struggling competition which has reduced the price of all to one common level,—compelling the Proprietors of every new Paper, however few the copies printed, to sell their production at the same price as the oldest Journals established, however great the number sold by these, (two obstacles which can only be overcome by the sinking a vast capital in unavoidable outlay, and straining every effort to acquire the extensive circulation which can alone secure a remunerating profit):—were these disadvantages not in existence, and could a moderate extent of circulation be made to reward the labours of public writers generally, we should then no doubt actually see, what is now, however, never to be met with, Public Papers reflecting only the minds of those by whom they were conducted, and purged of every thing that did not strictly accord with the tastes, the feelings, and the judgment of their Editors.

At present, however, this is impossible. If a Daily Paper is to be established, a capital of 20,000*l.* at least must be risked. Its price, though it should sell but 100 copies per day, and without a single advertisement, must be as low as that of the Paper selling 10,000 copies, and making 10,000*l.* a-year by advertisements. But as, at this price, nothing short of a circulation nearly as extensive as the greatest of its contemporaries will save its capital from entire loss, the first maxim is—'extend the circulation, *honestly if you can* ; but, at any rate, extend the circulation.' This is the incessant cry of the Proprietors, who are generally mere capitalists looking only for a large return of interest, while the Editor, however honest or however able, being generally their salaried servant, must be subservient to the views of his masters, or give place to a more bending and tractable successor. Accordingly, it is found that since *numbers* is the great desideratum, the tastes of *all classes* must be suited; public opinion must not be *led* but *followed*. There must be but little of profound political discussion, and still less of refined literary criticism, because the really intellectual among mankind are so comparatively few; but there must be abundant records of crimes, in all their horrid deformities,—of accidents in all their painful details,—of daily brawls and nightly revels among the lowest of mankind,—of sporting matches, fights, elopements, frauds,—and every description of personal and private history, from the dinners and routs of the *haut ton* to the watch-house

adventures of rakes and bullies, and the morbid sentimentality of debauchees and villains expiating their offences at the gallows.

All this must be given, not because the Editors feel pleasure in such details, or because they conceive them to be conducive to the improvement of public morals or the welfare of their fellow-men, but because the Proprietors *must* be remunerated, and therefore ten thousand readers *must* be obtained. The very lowest appetites must therefore be pandered to,—the very lowest tastes gratified; and this being done, numbers come apace. The cause of the great success that has marked the career of one Paper is popularly understood to be its constant watching of the current of public opinion, and its swimming with the stream. The cause of the rising of another from comparative obscurity to eminence is said to be its ‘humorous delineations of character,’ as they were called, in which one of its contributors held up to ridicule, and described in the language of caricature, all the personal peculiarities of those who had the misfortune to be dragged before its tribunal. The success of another was occasioned by the unrivalled copiousness with which every rape, murder, and atrocity committed in England, was detailed in its columns, and often illustrated with drawings and engravings of the horrid and revolting scenes. And others again, though less gross in their violation of the ordinary bounds of principle and propriety, place their powers of attraction in qualities quite as far removed from that zeal for the improvement of mankind, which *ought* to form the basis of every undertaking emanating from the press, and which all pretend to honour, by *professing*, at least, to be under its influence.

These considerations had long since induced me to resolve, if ever a favourable opportunity should present itself, to *attempt* something of a higher kind. I was not so much a visionary as to indulge a hope of being able to reform in *other* Papers the evils I have here endeavoured to describe; but I was sufficient of an enthusiast to believe that there must be many others amongst my countrymen who would give me their support in any attempt that I might make to establish a *new* Journal in which the experiment should be tried, in order to ascertain whether, in a country that stands confessedly superior in knowledge to all others on the globe, there could be found a sufficient number of intelligent readers to support a more independent and intellectual Paper than any that can, under the circumstances adverted to, be expected to exist. That such an attempt would obtain me the secret ill-will, and probably the open hostility of many established Journalists, I could readily believe; but having, through a life of no ordinary peril, never yet been deterred from any enterprise by fear of the dangers that might await it, whether personal or political, the present was a duty in the discharge of which I should be still more tenacious of my habitual firmness of purpose; for I have so rooted a conviction of the virtue of such an attempt as this, whether it succeed or not, that I should not be removed from my resolution, supposing it even certain, that in consequence of my acting on it, every press in existence were to denounce me as a traitor to their cause.

Shortly after my return to my native country from India, the circumstances attending which are now generally known, an opportunity presented itself of carrying this resolution into effect; certain individuals of great political and literary talent, and whose views as to the state of the Newspaper Press generally coincided with my own, having agreed, if I would furnish the capital necessary for the undertaking, to commence and conduct a Daily Paper, the *Evening Chronicle*, on the prin-

ciples I had avowed. The multifarious engagements into which I was then plunged,—first, in establishing the ‘*Oriental Herald*,’ a Monthly Journal devoted to the exposure of mis-government in India; next, in conducting five several proceedings at law for redress of public and personal injuries; one, against the then Governor-General of India for arbitrary and oppressive treatment;—another, against the India Company, for illegally destroying the Freedom of the Press in that part of the British dominions under their rule;—and three others against certain calumniators of my private character—the triumphant issue of which is now universally known:—all these engagements, each sufficient to engross the time of any one individual, rendered it impossible for me to do more than furnish the capital necessary for the *Evening Paper* in question; but this I did cheerfully, and alone, until compelled, by circumstances quite unconnected with its merits or defects, to submit to the heavy loss of abandoning it at a moment when its prospects were most promising; and thus incurring a total loss of upwards of 1500*l*.

My resolution was, however, still unshaken, and in the very last number of that Paper an announcement was made that the suspension of the design was but temporary, and that whenever circumstances again presented a favourable opportunity of returning to it, the attempt would be renewed.

The subsequent history of the total destruction of all my property in India, to the extent of 40,000*l*., and the entailment of debts and embarrassments to the extent of 10,000*l*. more, arising out of the vindictive measures of the Government of that country, which seemed determined, even after my ruin by their own hands, to pursue me to the grave, and the expense and suffering to which I was subjected even by *successful* struggles against my private calumniators here, are so much matters of notoriety, that I need only advert to them, to explain why the attempt has never since been revived, and to show, that though the will remained unchanged, the means could never be commanded for carrying this purpose into execution.

A new event has, however, just transpired, which revives the long-dormant but never totally extinguished hope; and I hasten, therefore, to avail myself of the power which it gives me to renew my long-cherished project. In addition to the many proud testimonies of public approbation which I have had the honour to receive from many of the most distinguished individuals of our time and country, for the very conduct which drew upon me the unrelenting persecution of my tyrannical oppressors in the East, I have recently had the gratification to receive a remittance of Five Thousand Rupees from India, in a letter, which enclosed to me the following extract of the will of the late Mr. Richard Becher, a gentleman of fortune, who had resided the greater part of a long and active life in the interior of Bengal, and who therefore possessed abundant opportunities of knowing the nature and character of my writings during my residence in that country, as Editor of the ‘*Calcutta Journal*.’ The extract was as follows:

‘To James Silk Buckingham, formerly of Calcutta, but now residing in London, the sum of Five Thousand Sicca Rupees, which I direct to be remitted to him there at the par of exchange; and this legacy I give to him as a token of respect I bear to him, for his public zeal and manly conduct, with regard to those members of society in India, whom the mistaken and persecuting doctrines of policy have debarred from proving to the world that they are good Christians, loyal subjects, and worthy members of the community.’

To show how purely and entirely disinterested this bequest must have been, I may add, that I never had the slightest acquaintance with Mr. Becker during the whole of my residence in India, either personally or by correspondence; that this public and solemn testimony was unconnected with any imaginable influence of relationship or intimacy; and was also the more valuable as being given long after my banishment from that country for daring to advocate the cause of the oppressed, and long after all the public discussions on that event, both in India and in England, had exhausted every thing that could be said in my dis-favour, or in justification of the punishment to which I had been subjected.

I had no sooner received this legacy, than, considering how I could best evince my gratitude to the public-spirited testator, and how best justify this mark of his dying approbation, it occurred to me that I might never again possess so favourable an opportunity as this presented me, of renewing the attempt to effect what I had so long desired; and I was the more encouraged to indulge this determination, from a belief that by so doing, I should most effectually follow up in this country the very course of conduct which had obtained me this very flattering testimony of a stranger, though a fellow-subject, in another. The moment, too, seemed suited to the undertaking; aided by the support of friends, to whom I shall ever feel grateful, I had already succeeded in establishing the *Oriental Herald* as firmly as money and labour could effect this object. I had ended all my struggles against open persecutors and secret revilers. I had received, unsought, the approbation even of enemies, and the general eulogy of those who could not be suspected of any feeling beyond neutrality, in passing judgment on the last volume of my *Travels through Eastern countries* which issued from the press. I was therefore comparatively, at least, disencumbered of most of the embarrassments which had before weighed me to the ground; disengaged from actual contention with either public or private enemies, and as much at peace with all mankind as any individual can ever hope to be, who dares be bold enough to express his sentiments without reserve, and, conscious of the purity of his own motives, to hazard the frank expression of his inmost thoughts to the world.

I therefore resolved on placing this Legacy from India on the altar of Public Opinion in England. I did not wish to appropriate the smallest portion of such a 'free-will offering' to any but a strictly public purpose; and I immediately endeavoured to ascertain whether I could not find others among the circle of my immediate friends, who would add their mite to this 'talent,' so that, instead of 'wrapping it up in a napkin,' it might be put out to a good and useful increase, and thus do honour to the memory of him by whom it was originally bequeathed. My anticipations were not unfounded. A sum, sufficient at least for the experiment, was soon added by others, to the amount deposited by myself; and, aiming at the success of this undertaking, chiefly in a political and intellectual sense, with no more profit than may be sufficient to keep all parties engaged in its management honest, and place them above the reach of those temptations which so constantly assail the press in every possible shape,—they have committed to me the launching, the equipment, and the navigation of this their adventurous bark, upon the great and turbulent sea, in which it will, no doubt, be tossed and agitated by a thousand open tempests, besides being exposed to the secret rocks and hidden shoals which beset the track of the boldest navigators, and the more abundantly when they dare to pass the limits of all ordinary

charts, and spread their enterprising sails for undiscovered countries, or for new and untried paths to knowledge or to fame.

This, then, is the history, simple and unadorned, of at least an honest, and it is hoped, an honourable undertaking; and these the progressive steps by which a design, long and ardently entertained, has been brought to the eve of consummation. Of the plan, according to which this design will be attempted to be completed, I need only say, that its chief feature will be a constant effort to avoid the useless repetitions, and frivolous details, which now occupy so large a space in almost every Weekly Paper that can be named; and the substitution, in its place, of original articles on those great political questions which, from time to time, engage the public attention. This will form the *first* department of the paper. In a *second*, will be given original communications from every quarter of the globe, and embracing every subject of general interest; some of which, particularly those from France, Italy, Germany, and Spain, will be occasionally given in the languages of the respective countries, whenever it may be desirable to preserve the spirit of the original from escaping in a hurried translation. Analytical strictures on the proceedings of Parliament, of the Courts of Law, and other public bodies, — examinations of the doctrines of the Daily Journals, — criticisms on professedly impartial critics, — and reviews of the solemn and dictatorial judgments of Monthly and Quarterly Reviews, will occupy a *third* portion. Accounts of New and illustrations of Old Books, uniting a retrospective, with an actual and prospective record of Literature, Science, and Art, will form a *fourth* department of investigation; in which will be included all that belongs to the three great divisions of knowledge named, from the loftiest productions of the human mind, to the humblest efforts that may appear to possess any well-grounded claim on public attention. The whole will be closed by a brief yet comprehensive General Chronicle of Public Events — foreign as well as domestic; brief, from its style and manner, but comprehensive from the extent of its range, in which an attempt will be made to embody all the material *facts* of current universal history, in as few words as may be found compatible with clearness and intelligibility.

‘But’ asks the reader, ‘why so enigmatical a name?’ That nothing may remain unexplained, I will answer this question with the same frankness with which I have endeavoured to anticipate every other. In the choice of a name for any new Publication, no man can tell the difficulty but he who may try the experiment. The reason is almost obvious. Every Newspaper ought to have a name expressive of its character; but as the whole range of the English language contains but few of these, they have been already all usurped, and repeated in every imaginable form. If the reader has any curiosity to see how limited is the range in this respect, he may call at Peele’s Coffee House, or the Chapter, where he will find all the Papers in England, Ireland, Scotland, and Wales; among which are about 50 Mercurys, 30 Heralds, 20 Chronicles, 20 Couriers, and so on of the rest; leaving scarcely any choice of a really appropriate name, without adopting some already existing one, and thus wanting distinctiveness. At first, the name of ‘ARGUS’ was decided on: and the motto of Lord Bacon chosen, in which he says, ‘It is well to commit the beginnings of all great actions to Argus, with his hundred eyes, and the end to Briaræus, with his hundred hands.’ To this, however, a fatal objection was raised; for it had been used often, and not always reputably. It was indispensable that the name should be *new* as well as

appropriate, and this joint consideration produced the selection of THE SPHYNX. Its novelty of application is indisputable, though its antiquity of existence reaches beyond the records of history, and is shrouded in impenetrable darkness. It was an Oracle among the Egyptians, and as such became the depository of the wisdom of the age, and gave forth in its sentences the knowledge of many. It united the purity of the virgin with the strength and firmness of the lion. Its influence was beneficent, and its reputation universal, as far as the limits of civilization then extended. To all this, I felt the SPHYNX of modern days might at least aspire. But what especially confirmed me in the preference of this name, above all others, was a passage in an old Arabian Physician and Traveller, Abd-el-Ateef, a native of Bagdad, who flourished in the 600th year of the Hejira, and the 203d year of our own era, and who used the following remarkable expressions:

‘A sensible man inquiring of me what, of all I had seen in Egypt, had most excited my admiration, I answered, the nicety of proportion in the Sphinx. The wonder is that, in a work of such colossal size, the sculptor should have been able to preserve the exact proportion of every part; seeing that Nature had presented him with no model of a similar colossus, or any at all comparable.’

It is this union of colossal dimensions with minute variety of detail, this endeavour to preserve the exact proportion of every part, in the order of their power to instruct and delight, which will be especially characteristic of the present Publication; and, keeping constantly in view the peculiar charm of the colossal work whose name it has thus adopted, and the importance of mingling pleasure with information in all its varied forms, every effort will be made so to blend with its sterner and graver duties the light and attractive graces of intellectual entertainment, as to produce from this happy and well proportioned union, one complete and harmonious whole.

My own real or supposed qualifications for the direction of so important an undertaking remain now to be spoken of. I could wish that this task had devolved on others, rather than on myself. But, though it offends good taste to see any man unnecessarily undertaking the task of his own eulogist, there are times and occasions on which, to speak what he truly believes of himself, is the duty of every man; and all that the world expects from him on such occasions is, that he should be sincere. The present appears to me to be one of these occasions, and I must plead this as my excuse for what, under any other circumstances, would be at least an ungrateful task. In the first place, then, I may be permitted to state, that having embarked on a sea of life at the very early age of nine years, which led to my being marched many hundred miles through an enemy's country, as a prisoner of war, soon after I had completed my tenth year; and having, from that period until I landed in India, twenty years afterwards, been in almost continued service in nearly every sea and country on the earth,—in North and South America, the East and West Indies, the Gulf of Mexico, the Red Sea, the Persian Gulf, the Indian Ocean, the shores of the Mediterranean on both sides, the Greek Archipelago, and the Islands of the Pacific;—in Egypt at one extremity of Africa, and the Cape of Good Hope at the other;—over nearly the whole interior of Asia, from Smyrna in Turkey to Calcutta in Bengal;—on the banks of half the great rivers of the globe, from the Orinoco, in the Western, to the Nile, the Euphrates, the Tigris, and the Ganges, in the Eastern World;—and amidst the greatest ruins

of antiquity, including Thebes, Memphis, Alexandria, Jerusalem, Baalbeck, Ur, Nineveh, Babylon, Ecbatana, and Persepolis; as well as nearly all the busy and populous capitals of modern days;—it is impossible but that I must have acquired some knowledge of *men and things* in so extensive a range of pilgrimage. Next, having, since the year 1818, the period of my first undertaking the Editorship of a Public Journal in India, been uninterruptedly engaged in the various literary and political productions which bear my name, and are already before the world to speak for themselves, I cannot fail to have acquired some knowledge of the ordinary *subjects* of public discussion. To what extent my studies in these two schools of practical knowledge may have been usefully applied, or what may be the positive or comparative worth of my claims to public attention on these grounds, others must decide;—but there is one qualification, at least, of which I can alone speak with certainty; it is this:—that whether the opinions I may utter, on any question, be accurate or erroneous, they will, at least, be the opinions which I really and sincerely entertain, while their expression will be wholly uninspired by any hope of praise or reward, and unmitigated by any fear of censure or displeasure, from any living being. I have already suffered so severely for the faithful discharge of this duty, that if any thing *could* have conquered my unextinguishable love of truth and freedom, these sufferings would have done it long ago. But I feel that the immortal spirit must be torn, destroyed, and utterly rooted out from its mortal tenement, before I could ever yield a willing, or even a seeming homage, to that debasing reign of Insincerity, which seems the peculiar badge and curse of the times in which we live.

I shall say no more,—but, with the anxiety of one who *wishes* to deserve well of mankind, tempered by that composing hope which can look even at the darkest aspect of the future without dismay, I commit the humble efforts of my own pen, and the abler productions of those by whom I am proud to be supported as colleagues in this undertaking, to the impartial judgment of the world.

July 7, 1827.

J. S. BUCKINGHAM

ADMIRALTY COURT, FRIDAY, JULY 20, 1827.

#### PALEMBANG PRIZE.

THIS was a claim on the part of the captors of Palembang, a dependency of, or state tributary to, Java, but situated on the island of Sumatra, nominally against the East India Company, but virtually against the Crown, for certain sums of money alleged to be part of the booty condemned by this Court as prize in 1821. The case, as developed in the proceedings and evidence, is complicated and obscure: it may, however, be divested of much extraneous matter, and reduced to the following statement, the facts of which are not in dispute:

After the capture of Java from the Dutch in 1811, Mr. (afterwards Sir Thomas Stamford) Raffles fitted out an expedition to take Palembang, the Pangerang (or Sultan) of which place had not only refused to recognize the British authority, but had exterminated the Dutch residents. The expedition consisted of several vessels of war; and about 4,000 troops; the navy under the command, first of Captain Owen, and latterly of Captain Bowen; the army composed partly of the King's and partly of the Company forces, under Major-General Gillespie. On the 26th of April 1812, they took the city, the Sultan having abandoned the place, with all the treasures he could convey, and retired with a body of men into the recesses of the island, where he maintained himself till the

settlement was given up to the Dutch, at the peace. He then succeeded in recovering his throne, from which he was again expelled a short time back. The British commanders, under orders from the Government of Java, by a proclamation, dated the 5th of May, deposed the Sultan, and placed his brother upon the throne, on condition of his paying a million of dollars. This sum was found to be beyond the means of the impoverished Chief: and, on the 17th of May, more merciful terms were imposed, stipulating, however, the surrender of Banca and Billiton. Two days prior to this treaty, the new Sultan, finding himself unable to support his dignity without the moveables, furniture, stores, &c., captured by the British army, in the palace and its vicinity, and being unable to ransom them, executed a bond, whereby he agreed to pay the sum of 200,000 Spanish dollars, as ransom of the property, in three equal instalments, in 5, 10, and 15 months. Part of the property was subsequently sold by auction, and the proceeds, amounting to about 46,000 dollars, were distributed amongst the captors, in part payment of the bond, which reduced the sum due from the new Sultan to about 154,000 dollars. The treaty referred to, of the 17th of May, contained a clause (the 8th), which stipulated that the Sultan should use his utmost diligence to get possession of the treasure taken away by the ex-Sultan, and to pay to the East India Company half the sums he might recover, part to defray the expense of the armament, and part to be considered as a fine imposed upon the late Sultan for his cruelty, tyranny, and perfidy. Up to the present period, no money has been received by the captors on account of this bond, besides the 46,000 dollars. Some years back, an arrangement took place between the Crown and the East India Company, whereby a multitude of conflicting claims on either side were adjusted, under the authority of an act of Parliament, upon an equitable basis, without reference to *minutiae*: the Crown received a large sum from the Company, and took their chance of such claims as might be made by those who had demands upon the Company. This arrangement comprehended the Palembang transactions; and the trustees for the booty, finding no proceeds accruing, applied to the Treasury, who acknowledged their responsibility, and directed the present application. The prayer of the suitors was, that the Company might be called upon to pay into the Registry the sum of 154,000 dollars, or such part thereof as they might have received from the Sultan of Palembang.

Dr. LUSHINGTON on the part of the captors, after a full exposition of the case, observed that the first question was, whether, *de facto*, any money had been appropriated by the Company in part of payment of the bond, or under the 8th clause in the treaty; secondly, whether the Company, under the circumstances he should state, were not bound to pay the money on behalf of the captors; thirdly, whether, as they had assumed the government of Palembang, and refused permission to the captors' agent to remain there, they were not responsible for the amount of the bond. Application had been made to the East India Company for information as to the payments made by the Sultan to them, or their agents; and after long search and delay, an affidavit was made by Mr. Thomas Trew, of the Auditor's office, East India House, stating that he had searched the Java books from 1811 to 1816-17, and could find no entry of money paid to the Resident of Palembang. The documents in the case showed that these books were worthless, for money had actually been received. The learned Advocate then read a letter from the Resident of Palembang to Governor Raffles, dated May 31, 1813, which stated that, 'Of the sums credited by Colonel Eales (the preceding Resident) to Government, as received from the Sultan, was that of 8,248 Spanish dollars, which was meant to be in liquidation of the engagement.'

The account, as far as could be ascertained by the captors, stood thus: On the debtor side was the amount of the bond, 200,000 dollars: on the creditor side there were the following sums received—viz. 55,000 dollars (including the proceeds of the auction), 10,972 dollars received by Colonel Eales, and paid over to Government; 5,288 dollars, stated to have been in process of realization,



but of which the actual payment could not be proved; and, lastly, 23,026 dollars credited by Colonel Bales to the Government as a moiety of a sum recovered from the late Sultan. This sum, however, the captors claimed as well as the rest. When this appropriation was made known to Major Thorn and Captain Wallis, the prize-agents, they complained to the Government of Java, that this sum was carried to account in a manner unknown to and unauthorized by them. What right had the Company (Dr. Lushington asked) to the priority of claim? If they had such right, where was the evidence that the sum of 23,000 dollars was applicable to the object in the 8th article of the treaty? The Company was bound to satisfy the captors' claims before their own. The agents applied to the Java Government for permission to depute an agent to watch over the interests of the captors, and obtain a liquidation of the bond; but this permission was refused, on grounds of state policy, the Governor in Council deeming it inexpedient and impracticable, under present circumstances, to allow an agent to reside at Palembang, but engaged that the prize-agents should be officially informed of all sums paid by the Sultan to the Resident at that place. The captors were thus shut out; and, as the Company had taken upon themselves the duty of the agents, they were answerable for the demand now made on them.

Dr. DOMSON followed on the same side.

The KING'S ADVOCATE, on the part of the Crown, observed, that as to the charge against the Company of withholding information, it rested upon no ground whatever. The absence of the entries of sums received at Palembang might arise from the circumstance of the papers being transmitted to the Supreme Government of India, where the accounts were embodied. But the agents were bound to furnish the information, not the Company.

LORD STOWELL observed, that in a case before Sir James Marriott, he had required that the books of the Company should be produced; whence it appeared, that the Court had such a power, which it was entitled to exercise.

The KING'S ADVOCATE continued.—The captors, in respect to the bond, were in the condition of simple creditors. Governor Raffles did not know of the existence of this bond till the agents informed him of it. He contended, that it appeared by the evidence, that the 23,000 dollars was a payment, not to the captors, but to the Company under the treaty, as a sum recovered from the Sultan. With respect to the other sums, the receipt of the 6,000 dollars was uncertain, and must be the subject of further inquiry; and, as to that of 10,900 dollars, this was certainly due to the captors, and his Lordship might decree it *instantly*.

Dr. JENNER followed on the same side.

LORD STOWELL wished he could end the business at once by a proper distribution without further examination.

Dr. LUSHINGTON would agree to any thing just and equitable.

LORD STOWELL proposed that the sums of 10,000 dollars, 6,000, and 23,000 should constitute the sum pronounced for.

Dr. LUSHINGTON agreed to this.

The KING'S ADVOCATE declined to being a party to such a compromise on the part of the Crown.

LORD STOWELL.—I will take upon myself the responsibility of pronouncing for this sum.

The KING'S ADVOCATE could not consent to this; he must appeal to the evidence.

LORD STOWELL.—Then I must look through the papers again.

#### TUESDAY.

LORD STOWELL said he had looked over the papers in this case, and it appeared to him that there was no legal evidence to the claim made by the captors

for 10,000 dollars, neither was there any as to the claim for 6,000 dollars. There was, however, an admission of these claims on the part of the East India Company, and therefore the Court would pronounce in favour of them. But there was neither legal evidence, nor any admission, in support of the claim of 23,000 dollars. The judgment of the Court was, that the captors should only receive two sums of 10,000 and 6,000 dollars.

Dr. LUSHINGTON submitted the captors were entitled to interest, as the East India Company had had the use of the money from the year 1813 up to the present time.

Sir C. ROBINSON, on the other side, said that this was not a case which by any means called for interest.

Lord STOWELL thought differently, and said that the captors were clearly entitled to interest.

### INDIAN FESTIVAL.

(From the Madras Government Gazette of February 15.)

1st Magh, 13th January.

UTTARAYANA.—In addition to our former notice of this festival, we have received the following particulars of the bathing at Gunga Saugur, from a Pundit, who visited the place this season, as well as from a friend, who has been present on more than one occasion.

The Pilgrims who visited Saugur to bathe in the sea, at the Makara Sankranti, this year, amounted to between forty and fifty thousand, and consisted of individuals of every age, and both sexes. The men were mostly from the upper provinces, but the females chiefly from Bengal. The greater portion belonged to the Saiva and Sakta sects, and some of the religious members of these divisions of the Hindoo faith came from Nepaul and the Punjab, whilst others were from the south of India. They assembled on or before Thursday the 11th, and the ceremonies began on the 12th; they occupy three days.

The place of assemblage is a sand bank, on the southern coast of Gunga Saugur, immediately to the west of the creek called Pagoda creek, from a small temple situated near its opening into the sea. The temple lies on the same side of Pagoda creek as the sand bank, but is separated from the latter by a smaller creek running inland, south from which to the sea-shore is thick jungle, with a path through it, leading to a tank, whence the pilgrims are supplied with fresh water. Tigers sometimes lurk in this jungle, and the present year are reported to have carried off several individuals. Along the sea side, for about a mile, are rows of booths, shops, and temporary temples, with the travelling gods of the religious medicants, who receive the homage and contributions of the pious. Besides the supply of provisions, there is a considerable traffic carried on, chiefly in betel-nuts, black pepper, and the red powder, to be scattered about at the Hooli. According to the Pundit, an impost is levied by the officers of Government stationed here, of four annas per oar, besides a fee of one anna to the establishment; but the charge, if we are not misinformed, is unauthorised, except as made by the Byragees or Sanyasis, who had assumed the right of levying four annas per oar, and from eight annas to one or two rupees for each shop. This claim has been so far authorised, that the right to levy any charge was withdrawn from the Saugur Society, upon the petition of the religious mendicants, and the latter thus confirmed in the power they exercised. The amount was inconsiderable, having been farmed, in the first year, for 1,200 rupees, and in the second year, for 2,000.

The first, or preparatory ceremony, is the propitiation of the sea, by casting into it suitable offerings. The most appropriate is that termed the Puncchu Rutna, or five gems, consisting of a pearl, a diamond, and an emerald, a topaz, and a piece of coral, with a cocoa nut, and thread-worn by Brahmins. These are wrapped in a piece of cloth, and cast into the river below Khela Gaechiya, which is called Dhola Samudra, and also at the conflux. The gems are, in general, of

the smallest, not worth above a rupee or two, but those whose means do not admit of such a donation, offer a cocoa-nut, a betel-nut, or a plantain.

On the first day, the essential rite is bathing in the sea, which takes place in the morning, and is by some repeated at noon. Some also perform the Sraddha, or obsequial rite, to deceased ancestors, and some undergo the operation of shaving the head. After bathing, they repair to the temple above-mentioned, which is dedicated to *Kapila* Muni. This sage was an incarnation of Vishnu, to destroy the sixty thousand sons of King Sagara. He took up his station at this place, which was then on the brink of a chasm leading to the infernal regions, and when the sons of the king, in search of a steed intended for a solemn sacrifice, broke in upon his meditations, he reduced them all to ashes by the lightning of his eye. In order to purify their remains, and secure paradise for their spirits, the great-grandson of Sagara brought the Ganges from the heavens to this place, where the waters filling up the chasm which now constitutes the bed of the sea, thus formed the ocean. The Ganges is named Bhagirathi, after King Bhagirath, and the sea is called Saugur, after the name of his great-grandson.

The temple of Kapila is under the alternate charge of Bairagi and Sanyasi. The latter presides at Mela, in the month of Kartik, the former in Magh, or January. They levy a tax of four annas on each person who visits the temple, the amount of which is divided amongst five different establishments of Ramnandi Bairagis, in the vicinity of Calcutta. In front of the temple is a bur-tree, and on either side stands an image of Rama and Hanuman; within the temple is an image of Kapila, nearly as large as life. The pilgrims very commonly write their names on the wall, with a short prayer to Kapila, whilst some suspend a piece of earth, or brick to a bough of the bur-tree, accompanying the act with some solicitation, as for health, or affluence, or posterity, and a promise, in that case, to make a gift to some divinity.

Behind the temple is a small excavation, termed Sita-kund, filled with fresh water, which the pilgrims sip, paying a small fee to the Mahant of the temple. This reservoir is probably filled from the tank shortly before the Mela occurs, but the attendant mendicant endeavours to persuade the people that it is a perpetual miracle, and is kept full for the use of the temple.

On the second and third days, bathing in the sea, and the worship of the Ganges, are practised; after which, the meeting breaks up. During the whole time the pilgrims sleep on the sand, it being held heterodox to repose on board their boats.

## CIVIL AND MILITARY APPOINTMENTS, PROMOTIONS, AND CHANGES, IN INDIA.

[B. signifies Bombay—M. Madras—and C. Calcutta.]

- Apperley, Ens. rem. from 6th to 67th N. I.—C. Jan. 27.  
 Andrews, J. R. B., Ens., rem. from 18th to 52d N. I.—C. Jan. 4.  
 Apperley, H., Ens., posted to 6th N. I.—Kurnaul.—C. Jan. 8.  
 Alston, J. S., Ens., posted to 27th N. I.—C. Jan. 8.  
 Angelo, J., Capt. Light Cav. on furl. to Europe, for health.—C. Jan. 14.  
 Alpin, Capt., 89th Foot, on furl. to Europe.—C. Jan. 26.  
 Armstrong, J., Mr. to be Collector of Gorruckpore.—C. Feb. 15.  
 Brooke, F. C., to be Ens.—C. Jan. 24.  
 Bontein, J., Cadet, to be Ens.—C. Jan. 24.  
 Bisshopp, Brev. Maj., 14th Foot, on furl. to Eur.—C. Jan. 24.  
 Brooke, G. P., Cadet, promoted to Ens.—C. Jan. 9.  
 Batten, G. M., Mr., to be Assist. to Magistrate and to the Collector of Allahabad.—C. Feb. 1.  
 Brooke, G. P., Ens., to do duty with 67th N. I. at Dinapore.—C. Jan. 15.

- Boswell, J. S., Ens., to do duty with 67th N. I. at Dinapore.—C. Jan. 3.
- Blunt, Ens., rem. from 48th to 67th N. I.—C. Jan. 27.
- Bailey, Ens., rem. from 56th to 67th N. I.—C. Jan. 13.
- Bell, W., Capt. Artil., rem. from 3d brig. horse artil. to 2d com. 5th bat.—C. Jan. 15.
- Becher, F. G., Mr., to be Register of Rungpore.—C. Jan. 19.
- Bury, C., Mr., to be Assist. Magistrate and Collector of Dacca.—C. Jan. 11.
- Baring, J. D., Corn. to do duty with 1st Lt. Cav.—C. Jan. 4.
- Budd, G. R., Corn., posted to 3d Lt. Cav. at Keifab.—C. Jan. 8.
- Beatson, T. F. B., Corn., posted to 6th Lt. Cav. at Muttra.—C. Jan. 8.
- Blackwood, W., Ens., posted to 59th N. I. at Barrackpore.—C. Jan. 8.
- Blunt, H. J., Ens., posted to 48th N. I., Neemuch.—C. Jan. 8.
- Bailey, C. D., Ens., posted to 56th N. I., Nussceerabad.—C. Jan. 8.
- Bedingfield, Lieut., Artil., to superintend a revenue survey of Lower Assam.—C. Jan. 20.
- Bachman, G., Assist. Com. of Ord., posted to Sangor Magazine.—C. Jan. 25.
- Brown, M. W., Lieut.-Col., Artil., on furlough to Europe for health.—C. Jan. 12.
- Birch, G. B., Lieut., Artil., on furlough to Europe for health.—C. Jan. 20.
- Bolton, Lieut., 59th Foot, on furlough to Europe for health.—C. Jan. 20.
- Billamore, Lieut., relieved from duty, with survey of Bombay and Salsette.—C. Feb. 7.
- Barlow, R., Mr., to be Magistrate and Collector of the Jungle Mahal.—C. Jan. 4.
- Blackhall, J., Lieut., of H. M. 48th Reg., to be Fort-Adj. at Poonamallee, and to have charge of the pensioners at Tupasore, v. Campbell, resigned.—M. Jan. 9.
- Belt O., Lieut., 12th N. I., on furlough to Europe for health.—M. Dec. 15.
- Baber, T. F., Lieut., 44th N. I., on furlough to Europe for health.—M. Dec. 19.
- Briggs, Lieut.-Col., 42d N. I., on furlough to Europe for health.—M. Jan. 12.
- Bayley, J., Capt., 22d N. I., on furlough for health.—M. Dec. 19.
- Canning, J. S., Capt., 3d N. I., transferred to the Inval. Estab.—B. Jan. 16.
- Curry, R. C., Ens., 17th N. I., to be Lieut., v. Pelly.—B. Jan. 17.
- Cracroft, W., Mr., to be Third Judge of Provincial Court of Appeal, &c. of Benares.—C. Jan. 4.
- Carleton, Capt., 1st Eur. Reg., placed under orders of Resident of Hyderabad.—C. Jan. 22.
- Cameron, A., Assist.-Com. of Ord., re-appointed to Allahabad Magazine.
- Conolly, A., Lieut., 6th Lt. Cav., on furlough to Europe for health.—C. Jan. 20.
- Crawford, W. A., Lieut., 1st Bom. Lt. Cav., on furlough to Europe.—C. Jan. 20.
- Cooper, Lieut., Queen's Royals, to exch. on half-pay.—C. Jan. 10.
- Carnwath, the Earl of, Maj.-Gen., on furlough to Europe.—C. Jan. 15.
- Cochrane, Lieut., 87th Foot, to remain in India for six months after the embarkation of his regiment for England.—C. Jan. 10.
- Chambers, Lieut.-Col., rem. from 87th to 41st Foot.—C. Jan. 1.
- Cooper, Lieut., 11th Lt. Drag., on furlough for health.—C. Jan. 37.
- Clarkson, G., Ens., 25th N. I. to be Lieut. v. M'Mahon, prem.—B. Jan. 2.
- Croxton, T., Capt., Artil., rem. from 5th to 3d troop 3d Brig. Horse Artil. vice Bell.—C.
- Colebrook, Capt. 26th N. I. transfer. to Inv. Estab.—C. Jan. 9.
- Colvin, J., Capt., Engin., to be Superint. of Canals in Delhi, v. Dickell.—C. Jan. 20.
- Comyn, B. T., Lieut.-Col., rem. from 37th to 53d N. I.—C. Jan. 19.
- Cathcart, J. F., Mr., Register of Rajshy and Joint Magistrate at Dajoorah.—C. Jan. 19.
- Campbell, A. D., Mr., to be Principal Collector and Magistrate at Tanjore.—M. Feb. 6.
- Crichton, T., Surg., rem. from 20th to 44th N. I.—C. Feb. 12.
- Colvin, J. R., Mr., to be Third Assistant to the Courts of Sudder Dewanny and Nizamut Adawlut.—C. Feb. 15.

Cheap, G. C., Mr., to be Magistrate of Bardwan.—C. Feb. 8.  
 Caldecott, C. M., Mr., to be Assist. to the Sec. of the Board of Revenue in the Central Provinces.—C. Feb. 8.  
 Coxe, W. B., Lieut., 43d N. I., to be Adj. v. Manning.—M. Jan. 1.

Dickey, E. J., Lieut. 14th N. I. to command Escort with Political Agent at Bhurtpore.—C. Jan. 12.

Durant, G., Ens. posted to 32d N. I. Keitah.—C. Jan. 8.

Drummond, J. C., Ens. 19th N. I. to be Lieut. v. Symes resigned.—C. Jan. 9.

Darby, C., Ens. 52d N. I. to be Lieut. v. Mackay, deceased.—C. Jan. 17.

Drummond, A. A., Ens. 11th N. I. to be Lieut. v. Macdonnell, deceased.—B. Jan. 28.

D'Oyly, T., Lieut. artil., to be Capt. by brevet.—C. Jan. 20.

Dwyer, Lieut. of the Eur. Invalids, to reside at Monghyr.—C. Feb. 12.

Duncan, T., Surg. appointed to 3d N. I.—C. Feb. 12.

De L'Etang, E., Cadet, to be Ens.—C. Jan. 12.

Dawes, Mr. to be third Judge of the Provincial Court of Appeal, &c. of Dacca.—C. Jan. 4.

Eckford, R., Surg. to be Sup.-Surg. on Estab. v. Ogilvy.—B. Jan. 2.

Fagan, L. C., Ens. posted to 11th N. I. at Kurnaul.—C. Jan. 8.

Faithful, R. C., Capt. 14th N. I. on furlough to Europe for health.—C. Jan. 9.

Faith, R., Assist.-Surg. Bombay Estab., on furlough to Europe for health.—C. Jan. 10.

Floyer, A. C., Mr. to be Judge and Magistrate of Beerbhoom.—C.

Furnell, F., Assist.-Surg., appointed to 52d N. I.—C. Feb. 12.

Forster, J. T., 15th N. I. to be Quart.-Mast. and Inter. to the Marine Bat. v. Phillips.—B. Feb. 15.

Gilmore, A., to be Assist.-Surg.—C. Jan. 23.

Godwin, H., Lieut.-Col. rem. from 41st to 87th Foot.—C. Jan. 1.

Graham, A., Assist.-Surg. to be vaccinator in Guzerat, v. Gray promoted.—B. Jan. 11.

Gorton, Mr. W., to be second Judge of the Provincial Court of the second div. of Benares.—C. Jan. 4.

Garrett, Mr. W. N., Judge and Magistrate of Backergunge.—C. Jan. 19.

Goulds, Mr. F., Register of Dinapore, and joint Magistrate stationed at Maldah.—C. Jan. 19.

Gordon, H., Lieut. 26th N. I. to be Capt. v. Colebrook, transferred to Inv.—C. Jan. 9.

Gascoyne, C. M., Corn., posted to 5th Lt. Cav. at Neemuch.—C. Jan. 8.

Grimes, H. S., Ens. posted to 30th N. I. at Cuttack.—C. Jan. 8.

Graham, W., Assist.-Surg. to perform Med. duties of civil station of Barrigera, v. Tweddel.—C. Jan. 20.

Grant, C., Corn. 1st Lt. Cav., on furlough to Europe for health.—C. Jan. 26.

Garrow, The Rev. D., to be District-Chaplain at Cuttack.—C. Feb. 6.

Heathcett, G. D., Col., rem. from 53d to 37th N. I.—C. Jan. 19.

Hawes, G., Capt. 51st N. I. on furlough to Europe.—C. Jan. 10.

Huthwaite, H., Col. 34th N. I. on furlough to Europe for health.—C. Jan. 26.

Hughes, H. P., Lieut. Artil. on furlough to N. S. Wales for two years for health.—C. Jan. 25.

Hewson, Lieut. 97th Foot, on furlough to Europe for health.—C. Jan. 10.

Halpin, O., admitted to Inf. and prom. to Ens.—C. Feb. 3.

Hall, A., Surg. Med. Dep., on furlough to Europe.—C. Jan. 15.

Heyland, Mr. A., to be Assist. to the Magistrate, and to the Collector of Nuddea.—C. Feb. 8.

Hill, G. M., Ens. posted to 2d extra N. I.—C. Jan. 8.

Hunter, N., Capt. of Artil. on furlough for health.—Jan. 9.

- Hessman, Lieut.-Col. Comd., appointed to the Gen. Staff of the Army.—B. Feb. 12, and allowed a furlough to the Cape for health, for a twelve-month from the 15th Feb.
- Halliday, Mr. J. F., to be second Assist.-Register of the Courts of Sudder Dewanny, and Nizamut Adawlut.—C. Feb. 16.
- Harvey, Mr. J. J., to be Register of Bardwan.—C. Jan. 16.
- Hardy, B., Lieut.-Col. Artillery, to be Quart.-Mast.-Gen. v. Shuldham.—B. Jan. 15.
- Hopper, F. H., Lieut. 1st Eur. Reg. to be Adj. v. Doveton, permitted to return to Europe.—M. Dec. 15.
- Hay, E., Cadet, to be Ens.—C. Jan. 24.
- Heath, W., to be Assist.-Surg.—C. Jan. 23.
- Irvine, A., Lieut., of Engineers, on furlough to Europe, for health.—C. Jan. 12.
- Jackson, A. C., Mr., to be Assist. to the Magistrate, and to the Collector of Bahar.—C. Feb. 15.
- Johnson, H., Assist.-Surg., to be Civ.-Surg. at Sholapore.—B. Jan. 11.
- Knox, J., Lieut., of H. M. 2d or Queen's Royals, to be Aide-de-Camp to his Excellency the Com.-in-Chief.—B. Jan. 16.
- Kennet, F. V., Lieut. 21st N. I., on furlough to Europe for health.—B. Feb. 16.
- King, R. G., 2d N. I., to be Adjutant, v. Jones, promoted.—B. Feb. 13.
- Kennway, Mr. W. R., to be Register of Zillah Court at Bhowah.—C. Jan. 12.
- Kirby, J. S., Lieut., 44th N. I. to be Capt. by brevet.—C. Jan. 25.
- Kelly, W. B., Cornet, 1st Light Cav. struck off strength of army.—C. Jan. 25.
- Knight, G., Col., Pension Estab., on furlough to Europe.—C. Jan. 12.
- Lindsay, A. K., Assist.-Surgeon, appointed to 4th Extra N. I., at Jaunpore.—C. Jan. 5.
- Lewis, Lieut., Artil., to act as Adj. v. Penning.—C. Jan. 13.
- Lester, Capt., to take charge of the Arsenal.—B. Feb. 12.
- Lomer, W. H., Ens., posted to 43d N. I. at Saugor.—C. Jan. 8.
- Llewellyn, Assist.-Surg., to do duty with 87th Foot.—C. Jan. 13.
- Love, S., Surg. to be Vaccinator v. Michael.—B. Jan. 11.
- Lay, M. F., to be Senior Judge of the Provincial Courts of Appeal, &c. of Dacca.—C. Jan. 4.
- Lowther, M. W., to be fourth Judge of the Courts of Appeal, &c. of Benares.—C. Jan. 4.
- Macnaghten, J. D., Cornet, posted to 6th Light Cav. at Muttra.—C. Jan. 8.
- Master, W., Cornet, posted to the 10th Light Cav.—C. Jan. 8.
- Mackay, A. J., Ens., posted to 15th N. I.—C. Jan. 8.
- Mayow, J. H. W., Ens., posted to 14th N. I. at Lucknow.—C. Jan. 8.
- M'Leod, D. A., Assist.-Surg., to do duty with 54th N. I. in Assam.—C. Jan. 9.
- Martindale, Sir G., Maj.-Gen., to command fortress of Buxar, v. Sir J. Browne.—C. Jan. 26.
- M'Lean, Ens., rem. from 2d to 57th N. I.—C. Jan. 15.
- Mansell, C. G. Mr., to be Assist.-Sec. in the Western Provinces.—C. Jan. 19.
- Morrison, D. B., Mr., to be Register of city of Dinapore.—C. Jan. 19.
- Macra, J. M., Assist.-Surg., to perform Med. duties of Civil station at Patna, v. Thomson.—C. Jan. 12.
- M'Connell, W. C., Cadet, to be Ensign.—C. Jan. 12.
- M'Connell, W. C., Ens., to do duty with 67th N. I. at Dinapore.—C. Jan. 13.
- Mills, J. A. M., Mr., to be Extra Assist. Register of the Court of Sudder Dewanny and Nizamut Adawbut.—C. Feb. 15.
- Murray, Lieut.-Col., 16th Lancers, to be a Brigadier on Estab. v. Combe.—C. Jan. 26.
- Mostyn, J. S., Lieut., 5th Extra N. I. on fur. to Europe for health.—C. Jan. 10.
- M'Gregor, R. G., Lieut., Artil., on furlough to Europe for health.—C. Jan. 20.
- Michie, Assist.-Surg., to be Vaccinator in the Deccan, v. Taylor, promoted.—B. Jan. 11.

- Montefiore, Assist.-Surg., to be Surgeon to the Bussorah Residency.—B. Jan. 11.
- Mitford, R. Mr., to be Second Judge of the Provincial Court of Appeal, &c. of Dacca.—C. Jan. 4.
- Mills, J. M., Mr., to be Assistant to Magistrate and Collector of Tipperah.—C. Jan. 4.
- McGregor, G. H., Lieut., Artil., posted to the 10th comp. 6th bat.—C. Jan. 30.
- Neville, Lieut. 2d Grenadier N. I. on furlough to Europe for a twelve month.—B. Jan. 12.
- Ogden, Mr. W. P., First Register of the Zillah Court at Moradabad.—C. Feb. 1.
- Pierce, E., Lieut.-Col., to be Commandant of Artil. with a seat at the Military Board.—B. Feb. 12.
- Paterson, J. J., Surg., rem. from the 44th to 28th N. I.—C. Feb. 12.
- Pelley, C. F., Lieut. 17th N. I. to be Capt. v. Ellis, deceased.—B. Jan. 17.
- Pine, Maj.-Gen. app. to the command of the Presidency Div. of the Army, Calcutta, v. Earl Carnwath, returned to Europe.—C. Jan. 28.
- Palsgrave, J. H., Assist.-Surg., appointed to 44th N. I.—C. Feb. 12.
- Pidcock, Mr. H., to be second Register of the Zillah Court at Moradabad.—C. Feb. 1.
- Peacock, C., Lieut. 59th Foot on furlough to Europe.—C. Jan. 15.
- Prother, E. R., Lieut. Artil. on furlough to Europe for health.—B. Jan. 4.
- Ricketts, Mr. H., to be joint Magistrate and dep. Collec. of Balasore.—C. Jan. 4.
- Rogers, W. H., Assist.-Surg. placed under orders of Superintendent, Surg. at Cawnpore.—C. Jan. 4.
- Rogers, C., Ens. 3d N. I. to be Lieut. v. Martin, deceased.—C. Jan. 20.
- Riddell, Mr. R. F., admit. Assist.-Surg. on estab.—C. Jan. 5.
- Ravenscroft, Mr. G. S., admitted to Cav. and prom. to Cornet.—C. Feb. 3.
- Raife, C., Ens. to do duty with 67th N. I. at Dinapore.—C. Jan. 13.
- Robertson, Mr. W. T., to be princip. Assist.-Agent to the Gov.-Gen. in Sagar and the Nerbudda Territories.—C. Feb. 2.
- Rand, G. C. C., 8th Mad. N. I. on furlough to Europe for health.—B. Feb. 16.
- Stanley, W. H., Lieut. 18th N. I. on furlough to Europe.—B. Feb. 13.
- Sterling, Mr. E., to be Collector of Stamps of Agra.—C. Feb. 17.
- Sutton, H., Lieut. Artil. to act as Exec. Engin. at Mhow, v. Athill.—B. Feb. 20.
- Stockwell, Mr. G., to be Judge and Magistrate of Benares.—C. Feb. 17.
- Symes, C., Lieut. 19th N. I., permitted to resign.—C. Jan. 9.
- Stockhouse, Assist.-Surg. rem. from 4th extra to 22d N. I.—C. Jan. 5.
- Shaw, Mr. T. A., Judge of the Zillah of Chittagong.—C. Jan. 4.
- Scott, G., Cornet, posted to 4th Lt. Cav., at Muttra.—C. Jan. 8.
- Steele, C., Ens. posted to 26th N. I. at Barrackpore.—C. Jan. 8.
- Scott, J. C., Ens. posted to 26th N. I. at Barrackpore.—C. Jan. 8.
- Seymour, R., Capt., to be Maj. of Brigade in Cuttack.—C. Jan. 13.
- Smith, E. J., Lieut. of Engin., to be execut. Engin. of 6th or Allahabad div., &c. v. Irvine.—C. Jan. 26.
- Sheane, Assist.-Surg. 13th Lt. Dr. on furl. to Europe for health.—C. Jan. 10.
- Stainforth, Mr. H., to be second Register of Benares.—C. Jan. 15.
- Shaw, W., Ens. to do duty with 54th N. I. at Rungpore.—C. Jan. 13.
- Small, Assist.-Surg. to do duty with the 14th Foot.—C. Jan. 15.
- Shaw, Mr. Jas., to be Magistrate of Nuddeah.—C. Feb. 8.
- Spiers, Mr. A., to be Assist. to the Collector in the Central Provinces.—C. Feb. 8.
- Tweedell, Assist.-Surg. H. M. to do med. duty of div. station at Chingapore.—C. Jan. 20.
- Graham, W. J., Mr., to be Judge and Magistrate of Dacca Jellapore.—C. Jan. 4.
- Thomas, J., Lieut. 18th N. I., on furlough to Europe.—B. Jan. 2.
- Trevelyan, C. E., Mr. to be Assist. to Coll. of Delhi.—C. Jan. 4.
- Taylor, J., Ens. 26th N. I., to be Lieutenant, v. Nash, dec.—C. Jan. 9.
- Thomson, R. M. M., Assist.-Surg., to be Surg. to Bhairpur Agency.—C. Jan. 14.

Thompson, W. B., Ens. 67th N. I., to do duty at Dinapore.—C. Jan. 4.

Udny, G. G., Mr., to be First Assist.-Reg. of the Courts of Sudder Dewanny and Nizamut Adawlut.—C. Feb. 15.

Vibart, J. G., Mr., to be Judge and Magistrate of Juanpore.—C. Jan. 4.

Whittingham, Gen. Sir Stamford, Kt., C.B. and K.C.B., to command the Cawnpore div. of the army.—C. Jan. 30.

Whiteford, J., Lieut., Artil. (newly arrived) posted to the 12th comp., 2d bat.—C. Jan. 30.

Wilson, David, Capt., 7th N. I., to be Resident in the Persian Gulf, v. Stannus.—B. Jan. 12.

Wynch, P. M., Mr., to be Collector of Stamps in Calcutta.—C. Feb. 1.

Webb, W. J., Surg., appointed to 7th N. I.—C. Feb. 12.

Wardrope, A., Assist.-Surg., on furlough to Europe for health.—C. Jan. 9.

Wake, W. H., Lieut., 44th N. I., to be Captain by brev.—C. Jan. 26.

Wray, C., Assist.-Surg., on furlough to Europe.—C. Jan. 26.

Young, A., Assist.-Surg., to be Civ. Surg. at Kaira, v. Graham.—B. Jan. 11.

# **BIRTHS.**

Agabeg, the lady of A., Esq., of a son, at Calcutta, Jan. 19.

Anderson, the lady of G. W. Esq. of a daughter, at Poonah, Feb. 16.

Auley, the lady of W., Esq. of a son, C. Feb. 11.

Armstrong, the lady of James, Esq., Civ. Serv., of a son, C. Feb. 7.

Bell, the lady of Lieut. J. H., Assist. Audit. Gen. of a daughter, at Colaba, Feb. 14.

Barford, the lady of Lieut. and Adj., 27th N. I., of a son and heir, at Benares, Jan. 23.

Charters, the lady of W. S., Esq. M. D., of a daughter, at Bareilly, Feb. 2.

Crichton, the lady of R., Esq. of a son, at Dinapore, Jan. 22.

Crisp, the lady of Capt., Madras Estab. of a daughter, at Calcutta, Jan. 20.

Dunlop, the lady of Maj. W. 52d N. I., of a son, at Burtisaul, Jan. 18.

De Cruz, the wife of Mr. J., Sub. Ass.-Surg., of a daughter, at Poonamallee, Feb. 1.

Davidson, the lady of Capt. W. B. of the Humayoon Shah, of a son, C. Feb. 16.

Dowker, the lady of Capt., of a daughter, at St. Thomé, Feb. 9.

Farran, the wife of Lieut. C. 74th N. I., of a son, at Madras, Jan. 29.

Baker, the lady of Lieut. and Adj., Nagpore Serv., of a son, at Nagpore, Jan. 20.

Gregory, the lady of G., Esq. of a son, at Calcutta, Jan. 17.

Grant, the lady of J. W., Esq., at Malda, Jan. 23.

Hudson, the lady of G. E., Esq., Attorney-at-law, of a daughter, at Calcutta, Jan. 28.

Lane, the lady of Lieut., of Artil., of a daughter, at Dum-Dum, Jan. 19.

Limond, the lady of R., Esq. Sup. Surg., of a daughter, near Benares, Jan. 19.

Laurie, the lady of Lieut. F., 12th N. I., of a son, at Mhow, B. Feb. 23.

Morrell, the lady of R., Esq., of a son, near Berhampore, Feb. 2.

Morton, the wife of Mr. Sub-Conductor G., of a son, at Bellary, Jan. 28.

Mitchell, the lady of the Rev. J., of a son, B. Feb. 7.

Magrath, the lady of A. N., Esq., of a son, at Arcot, Feb. 9.

Marriot, the lady of Maj. 11th N. I., of a son, at Vizeanagram, M. Jan. 27.



- Ninbet, the lady of J., Esq., of the Civ. Service, of a daughter, at Vellore, Feb. 14.  
 Nelson, the lady of R., Esq. Civ. Service, of a son, at Dindigul, Feb. 1.  
 Owen, the lady of H. G., Esq., Civ. Service, of a son, at Cawnpore, Nov. 5.  
 Paton, the lady of C., Esq. of a daughter, at Balligunge, Feb. 2.  
 Pattle, the lady of James, Esq., of a daughter, at Chowringhee, Jan. 14  
 Roe, the lady of Capt. Ass.-Quart-Mast-Gen., of a daughter, at Baroda, Feb. 3.  
 Roome, the lady of Maj., of a daughter, at Bhowndy, Feb. 4.  
 Ronald, the lady of R. M., Esq., Attorney-at-law, of a son, at Calcutta, Feb. 3.  
 Smith, the lady of W. R., Esq., of a daughter, at the Presidency, Madras, Jan. 30.  
 Senior, the lady of Lieut., 35th N. I., of a daughter, at Vepery, Jan. 23.  
 Saunders, the lady of C. A., Esq., of a daughter, York Terrace, London, July 13.  
 Vincent, the lady of Lieut.-Adj., 16th Lancers, of a son, at Meerut, Jan. 14.  
 Vandenberg, the lady of J., Esq., of a son, C. Feb. 13.  
 Wedderburn, the lady of J., Esq., Civil Service, of a daughter, Bombay, Feb. 7.  
 Wake, the lady of Capt. H. W., of the Bengal Army, at the Cape of Good Hope.  
 Wylde, the lady of Lieut. and Adjutant, 14th N. I., of a daughter, at Lucknow, Feb. 3.  
 Webster, the lady of the Rev. A., of a son, at Mradas, Feb. 14.  
 Webster, the lady of J., Esq., of a son, at Madras, Feb. 27.  
 Young, the lady of Major F., at Deyrah, Jan. 21.

#### MARRIAGES.

- Ashton, Mr. G. R., to Miss R. Wilton, daughter of the late Lieut. Wilton, at Madras, Feb. 3.  
 Arratoon, Mr. J. H., eldest son of the late H. Arratoon, Esq., to Miss C. Bagwan, at Calcutta, Feb. 17.  
 Cunliffe, B., Esq., Civil Service, to Miss Haigson, at Madras, Feb. 3.  
 Dickinson, H., Esq., Civil Service, to Miss Watts, Trinchinopoly, Feb. 17.  
 Edwards, Capt. R., of the ship *Earl Kelly*, to Miss J. A. F. Franck, at Madras, Feb. 5.  
 Fox, W., Esq., to Mary, eldest daughter of Mr. T. B. Scott, at Calcutta, Feb. 9.  
 Goddard, Mr. R. E., of the Commissariat, to Miss E. Taylor, at Madras, Feb. 15.  
 Hunter, Lieut. C., 16th N. I., to A. E., third daughter of T. Morris, Esq., Surv.-Gen.-Cus., London, at Bombay, Jan. 28.  
 Hannah, Mr. W., Apothecary, 2d Batt. Artill., to Miss M. A. M'Auliff, at Allipore, Feb. 12.  
 Hornett, G., Esq., to Miss Delia Turnbull, at Calcutta, Jan. 12.  
 Lamouroux, P. A., Esq., to Miss J. M. Francis, eldest daughter of F. Vignon, Esq., at Calcutta, Feb. 17.  
 Lindsay, A. K., Esq., Assistant-surgeon, 4th Extra N. I., to Miss M. Kerr, at Calcutta, Jan. 16.  
 Mills, A. J. M., Esq., Civil Service, to Miss Catherine M. Marten, at Calcutta, Feb. 15.  
 Ross, Mr. G. S. F., merchant, eldest son of Mr. G. Ross, Cond., to Ann, only daughter of Mr. Conductor Ross, of Belgaum, at Bellary, Jan. 26.  
 Stewart, H. T., Esq., of Mirzapore, to Mary, eldest daughter of N. Mahony, Esq., of Castle Troy, Limerick, Ireland, at Agra, Jan. 15.  
 Sherer, Lieut. G. M., 57th N. I., to Jane, third daughter of Brig. O'Halloran, at Calcutta, Feb. 1.

Vas, Capt. B. S., Commander of the brig *F. Millet*, to Thereza, relict of Capt. A. D'Coil, at Chittagong, Jan 2.

Wheeler, Lieut. F., Interp. and Quar.-Mas. 2d Light Cav., to Caroline, youngest daughter of the Rev. W. Palmer, District Chaplain, at Nussereabad, Feb. 1.

## DEATHS.

Brenen, J. L., Esq., Assist.-Surg., aged 38, at Calcutta, Jan. 28.

Burtop, J. C., Esq., aged 47, at Sea, Jan. 23.

Boyce, Lieut. G. R., 1st Eurp. regt. at Musulipatam, Feb. 19.

Brotheridge, the lady of Capt. H. M. 48th regt. at Pondicherry, Jan. 25.

Buchanan, J. R., Esq. Assist.-Surg. 17th N. I., at Delhi, Feb. 7.

Colyear, Lieut. M. T., of the Artil. at Dum Dum, Feb. 13.

Forrester, W., Esq., Judge and Magistrate of Cuttack, Jan. 21.

Grant, Catherine Smith, wife of C. Grant, Esq., aged 35, at Bombay, Feb. 10.

Green, Eleanor, daughter of J. Green, Sub Cond. of Ordnance, aged two years and six months, at Calcutta, Jan. 14.

Griffiths, Lieut. and Quart. Mast, F. B., 42d N. I. at Gooty, Feb. 20.

Grant, the lady of Sir Charles, at Bombay, Feb. 10.

Kempt Mr. F. R. G. B., son of the late Capt. F. Kempt, at Bombay, Feb. 8.

Langley, Fred. D., infant son of Lieut. Langley, 3d Light Cav., at Arcot, Jan. 27.

Ledlie, Captain, the lady of, 38th N. I., above Bogwangolah, Jan. 14.

Page, R. M., Esq., at Chowringhee, Feb. 13.

Ritchie, Mr. S., chief officer of the *Castle Forbes*, at sea, Jan. 1.

Taylor, Amelia, the infant daughter of Lieut. Col. Taylor, 25th N. I., at Poona, Jan. 31.

Taylor, Mr. W., livery-stable keeper at Trichinopoly, Jan 18.

Thomas, Frances, eldest daughter of the late Major Thomas, at Hazareebaugh, Feb. 2.

## SHIPPING INTELLIGENCE.

## ARRIVALS FROM EASTERN PORTS.

Date. 1827.	Port of Arrival.	Ship's Name.	Commander.	Place of Depart.	Date. 1827.
June 25	Downs ..	Reaper ..	Broad ..	Bengal ..	Feb. 9
June 25	Downs ..	England ..	Keay ..	China ..	Feb. 10
June 28	Weymouth	Exporter ..	Bullen ..	Bengal ..	Jan. —
June 30	Downs ..	Cornwall ..	Younghusband	Bengal ..	Feb. 24
July 2	Portsmouth	Sarah ..	Miller ..	Bengal ..	Jan. 14
July 4	Ramsgate ..	Juliana ..	Innes ..	Bengal ..	Feb. 9
July 5	Portsmouth	Wellington ..	Evans ..	Madras ..	Mar. 8
July 6	Liverpool ..	Frances ..	Heard ..	Bengal ..	Feb. 4
July 6	Plymouth ..	Mary Ann ..	Spottiswoode	Singapore	Mar. 2
July 16	Plymouth ..	Providence ..	Ardlie ..	Madras ..	Feb. 4
July 20	Portsmouth	Mountstuart Elph.	Henning ..	Bombay ..	Feb. 27
July 21	Downs ..	Hibbert ..	Theaker ..	Bombay ..	Feb. 17
July 24	Dover ..	Ganges ..	Lloyd ..	Bengal ..	Feb. 8
July 26	Isle of Wight	Dunira ..	Hamilton ..	China ..	Mar. 4
July 26	Isle of Wight	Lady Melville..	Clifford ..	China ..	Mar. 4

## ARRIVALS IN EASTERN PORTS.

Date.	Port of Arrival.	Ship's Name.	Commander.	Port of Depart.
1827.				
Feb. 12	N. S. Wales ..	Albion ..	Ralph ..	London
Feb. 12	N. S. Wales ..	Midas ..	Bagrie ..	London
Feb. 15	V. D. Land. ..	Admiral Cockburn	Cooling ..	London
Feb. 17	Bombay ..	Britannia ..	Walker ..	London
Feb. 19	Bengal ..	Rosella ..	Pyke ..	London
Feb. 28	Batavia ..	James ..	Nesfield ..	Liverpool
Feb. 28	Batavia ..	Mary ..	Guy ..	Liverpool
Mar. 4	Madras ..	Mellish ..	Vincent ..	London
Mar. 31	Mauritius ..	Seppings ..	Loader ..	London
April 1	Mauritius ..	Madeline ..	Cochlan ..	London
April 7	Cape ..	Harvey ..	Findlay ..	London
April 29	Cape ..	Dunnegan Castle	Flinn ..	London
May —	St. Helena ..	Farquharson ..	Cruikshanks	London

## DEPARTURES FROM EUROPE.

Date.	Port of Depart.	Ship's Name.	Commander.	Destination.
1827.				
June 19	Deal ..	Topaz ..	Stroyan ..	Mauritius
June 23	Deal ..	Streuthall ..	Dinning ..	Mauritius
June 23	Deal ..	Strangford ..	Gray ..	Mauritius
June 25	Deal ..	Eliza and Jane	Liddel ..	Mauritius
June 28	Liverpool ..	John Hayes ..	Werthington	Bengal
June 30	Liverpool ..	Sunbury ..	Pattison ..	Mauritius
July 2	Deal ..	Mary ..	Laird ..	Cape
July 2	Deal ..	Midgrave ..	Turner ..	Cape
July 2	Portsmouth ..	Edward ..	Holdridge ..	Batavia
July 2	Deal ..	Promise ..	Landes ..	Mauritius
July 2	Deal ..	Lord Melville ..	Browne ..	Bengal
July 3	Deal ..	Barbara ..	Pearson ..	Cape
July 3	Deal ..	Carnarvon ..	Winspear ..	Bengal
July 4	Portsmouth ..	Jane ..	Jamieson ..	Mad. & Bengal
July 5	Portsmouth ..	Carn Brea Castle	Davey ..	Bengal
July 5	Deal ..	Euphrates ..	Buckham ..	Bengal
July 5	Deal ..	Elphinston ..	Atkinson ..	Mad. & Bengal
July 5	Deal ..	Achilles ..	Henderson ..	Mauritius
July 5	Cowes ..	Padang ..	Rogers ..	Padang
July 6	Deal ..	Neptune ..	Cumberledge	Bom. & Bengal
July 8	Deal ..	Britannia ..	Ferries ..	Bombay
July 11	Deal ..	Burrell ..	Metcalfe ..	Singapore
July 11	Deal ..	Hussaren ..	Gibson ..	Cape
July 12	Liverpool ..	Nereus ..	MacFarlane	N. S. Wales
July 12	Deal ..	Mary Ann ..	Boucaat ..	Bengal
July 14	Greenock ..	Martha ..	Lindsay ..	Bengal
July 15	Deal ..	Arethusa ..	Hamilton ..	Singapore
July 15	Deal ..	Baretto, Jun. ..	Shannon ..	Bengal
July 16	Portsmouth ..	Catharine ..	Macintosh ..	Bengal
July 17	Liverpool ..	Turners ..	Leader ..	Bombay
July 18	Greenock ..	Comet ..	Fraser ..	Bombay
July 24	Deal ..	Upton Castle	Wildridge ..	Bombay
July 25	Deal ..	Tyae ..	Cotgrave ..	Bombay

## GENERAL LIST OF PASSENGERS.

## PASSENGERS HOMEWARDS.

By the *Mountstuart Elphinstone*, Capt. Henning, from Bombay :—Col. Kennedy, C. B. ;—Capt. Gordon, Madras Army ; Anderson, Marines ;—M'Lean, 20th Regt. ;—M'Kenzie, 2d Queen's Regt. ; Dr. Bell and lady ; Mr. and Mrs. Jenkyns ; Mesdames Willoughby and Macleod ; 14 children ; 122 men ; the women and children of H. M's. and Hon. Company's troops, left at St. Helena ; Col. Hessman, Bombay Artil. ; Dr. Thornton, Madras do. ; J. Elphinstone, Esq. C. S. ; Mrs. Elphinstone.

By the *Exporter* from Bengal :—Capt. Phipps, 88th regt. ; Ensign Canney, 99th regt. ; Mr. Chartris, Dep. Assist. Com. Gen.

By the *Gipsy*, Quick, from Bombay, at Liverpool 21st June :—Lieut. Kennett, 22d N. I. ; Superintend. Surg. Mr. Mrs. Miss and Master Kemball ; Mrs. Palier and son ; Misses Logies, and Master Barra.

By the *Juliana*, Innes, from Bengal :—Capt. Howes and lady ; Lieut. Bolton, 59th regt. ; Ensign Snell, 2d regt. ; Mrs. Warren and Mrs. Col. Hampton ; Misses Wheatley, left at the Cape.

By the *Wellington*, Evans, from Madras :—Majors Gamage and Grey ; Capts. Bailey and Campbell, 46th regt. ; Ensigns Christie and Faunce ; Mr. Hunter of the Civil Service ; and Masters Rudyerd, Campbell, Gamage, Madigan, and Grey ; Mesdames Campbell, Tichbourne, Fitzpatrick, Gamage, and Grey ; and fifteen servants.

By the *Reaper* from Bengal :—T. F. Waghorn, Esq., Company's Marine.

By the *Cornwall*, from Bengal :—Cols. Pepper and Knight ; Capts. J. Angelo, 3d N. Lt. Cav., J. Johnston, Artil. and J. Day, 87th reg. ; Lieutenants Connolly, 6th reg. Lt. Cav., P. R. Harris, 87th reg. ; Ensign Dudley, 87th reg. ; George Mackillop and Wm. Blunt, Esqrs. ; Masters Blunt, Angelo, Ferris, and Mackillop ; Mesdames Mackillop, Blunt, Angelo, and Laws ; Misses Blunt, Angelo, and Barclay ; their servants ; Major Pattle and Matlett landed at St. Helena.

By the *Providence*, Ardlic, from Madras :—Major Osborn ; Capt. Bell ; Drs. Gillespie and Hewitt ; Messrs. Leveck and Edwards ; Masters Osborn, Levick, Cox, Glassin, Schugrasse ; Mesdames Osborns, Cassin, and Levick ; Misses Osborn, Levick, and Cassin.

By the *Lady Kennaway*, Surflen, from Ceylon and the Mauritius :—Captain Orr, 97th reg. (died at sea) ; Lieut. Young ; Dr. Armstrong ; Mr. Wright ; Mr. and Mrs. Cooper ; Lady Gifford ; Misses Pennell, Best, and MacMullen, 73 invalids, (two died) ; three women ; ten children. Sir Harding Gifford, late Chief Judge at Ceylon, died 30th April, off the Cape.

By the *Diadra*, from China :—Mr. Geo. Hamilton, from Bengal ; Mr. and Mrs. Josh. Cole, and four children, from St. Helena ; Mr. Richard Leech and son.

By the *Lady Melville*, from China :—Capt. Bacon, Beng. Estab. ; Major Stewart and Lady and son, and Margaret Clifford Stewart, (born at sea, 24th May) one native female servant.

PORTSMOUTH, July 19.—Arrived his Majesty's ship *Boadicea*, from Madras, sailed 15th Feb., Trincomalee 25th ; left there the *Thalia*, Hiden, with loss of mizen-mast ; arrived at the Cape on the 19th of April ; on the 4th of May the *Thalia* came into Simon's Bay, with loss of mizen-mast, quarter-bouts, wheel, bulwarks, &c., having experienced a most dreadful gale on the 3d of April ; sailed on the 5th of May from the Cape, and arrived at St. Helena on the 25th of May ;

left there the *Farquharson*, for China, to sail next day; arrived at Ascension on the 30th May, and sailed 2d of June, left there the *Orestes* transport, from the Coast of Africa, with invalids, for England; 8th of March spoke the *Othello*, from Liverpool for Calcutta, the whole of the crew very sickly. When the *Boadicea* sailed, the squadron in India were employed as follows: *Java* (Rear-Admiral Gage), *Cyrene*, and *Champion*, at Trincomalee; *Tamer*, *Athol*, and *Pandora*, in the Red Sea; *Rainbow*, and *Fly*, at New South Wales; *Hind*, at Bombay. The Cape squadron was thus disposed of: *Owen Glendower* (Com. Christian), and *Sparrowhawk*, in Simon's Bay; *Samarang*, at the Mauritius; *Helicon*, on her passage to Mombas, Zanzibar, and the Mauritius. The garrison at Ascension were healthy. Colonel Nicholls, the Governor, was busy in making roads, turtle ponds, and bringing the ground into cultivation, in spots that would admit of it. The island had produced, this season, green peas, sweet potatoes, and carrots; but water had become rather scarce, from ample supplies being given to ships that had touched there. The *Boadicea*, after leaving St. Helena, met with light variable winds, and had the N. E. trade winds very far to the northward, which accounts for her long voyage. She spoke the *Romney*, 50, Capt. N. Lockyer, in lat. 44. 12. N. long. 22. 10. W., bound to Quebec, with troops (who supplied the *Boadicea* with a week's provisions;) and also, on the 12th inst., the *Mount Stuart Elphinstone*, from Bombay, in lat. 47. 50. N. 20. 6. W., and the *Boadicea* supplied her with provisions, being bound, with soldiers, to London. The *Boadicea* has been nearly three years actively employed in India, during which time she lost more than one-third of her officers and men. There is only one gun-room officer come home that went out with her.

It is said that the *Briton* frigate, Captain Augustus W. J. Clifford, C. B., is on her return from St. Petersburg, to be fitted to take out Lord William Bentinck, appointed Governor-General of India.

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#### ERRATUM.

IN Colonel Stanhope's speech on the Patronage of the East India Directors, given in our last Number, there were some errors which it is important to correct. The passage beginning at the sixteenth line from the bottom of page 194, should have run thus: 'With respect to the officers in the Company's service, there was no doubt that their appointments would sell in the market for 1,000*l.* each; for they received twice as much pay as the officers in the King's service, and, after twenty-two years, they were entitled to a pension equal to King's full pay. The cornetries and ensigncies in the King's service were sold from 1,200*l.* to 450*l.*; the lieutenantcies from 1,785*l.* to 700*l.*; the captaincies from 3,500*l.* to 1,800*l.*; the majorities from 8,300*l.* to 3,200*l.*; and the lieutenant-colonelcies from 9,000*l.* to 4,500*l.* Such were the regulation prices for the above commissions in the different branches of the service; but all of these were clandestinely sold for at least one-third more than the sums specified. Now, all similar commissions in the Company's service are obtained *gratis*. No man could, therefore, doubt that these five commissions, with double pay and double pensions attached to them, as in the Company's service, were worth 1,000*l.* The purchase-money would, of course, be furnished by the relations or friends, and could prove no injury to those excellent officers who deserved every reward, and in fact cost the state far less than the Civil Service.'

# THE ORIENTAL HERALD.

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No. 45.—SEPTEMBER 1827.—Vol. 14.

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## THE EAST INDIA COMPANY'S MONOPOLY.

'EAST INDIA TRADE.—We would respectfully ask the merchants of Liverpool, and of the other outports, whether it is too soon to commence operations for the prevention of a renewal of *one* of the odious Monopolies in this country, the Charter of the East India Company? Will not the approaching expiration of the present Charter, and the previous notice to which the Company is entitled, necessarily bring on the great struggle in a short time? If so, the friends of Free Trade should "up and be stirring;" Merchants and Manufacturers should meet and submit practical information to the Government and the public; and the press should promote the discussion of the question so industriously, that every independent mind in the kingdom may be enlightened, and therefore decided, on the subject. When this shall be the case, the Monopolists, notwithstanding all their present influence, will become powerless; and as far as we can aid in the good work, our pens and our columns shall not be wanting.'—*Liverpool Mercury*, August 3, 1827.

We have prefixed this paragraph to the observations we mean to offer in this article, principally to show, that in those quarters from which we have a right to look for the greatest exertions in obtaining the emancipation of India from her present state of subjection to a Company of Monopolists, we are not likely to be disappointed. We might have added others of a similar tendency from Manchester, Birmingham, Leeds, Glasgow, and other large trading towns, but it is unnecessary. The note of preparation has only to be sounded by the House of Commons, and the whole country will be in arms against a system by which no one, not even the monopolists themselves, can be said to *profit*, unless the mere patronage of the East India Directors, and the jobs of their dependent constituents, as contractors and suppliers of stores, be so considered; for as to the great body of the Proprietors of India Stock, who, in truth, constitute the East India Company, they derive not a fraction more of benefit from the existence of their monopoly than the public at large, as they receive only the ordinary interest of from 3 to 5 per cent. on the capital embarked by them in this concern, according to the current rate of interest yielded by the public funds of the day; and if this stock were transferred to the hands of the King's Government

to-morrow, they would be exactly in the same position as at present with respect to their actual income or gains.

This being the case, it will be naturally asked, for what reason, then, do they cling with so much fondness to a system from which they derive no benefit? and what ground is there for believing that the nation generally might derive advantage from the throwing open a trade which, in the hands of those who at present carry it on, is altogether unproductive? To answer these questions satisfactorily, it will be necessary to explain, in a familiar manner, what is the nature and constitution of the East India Company, how its trade is conducted, and what are the causes of perseverance in a system so inimical to the manufacturing and mercantile interests of the country: in doing which we shall be as brief as the nature of the subject will admit.

The origin and progressive history of the East India Company has been detailed with great fidelity in a series of papers first published in this Journal, under the title of the 'Rise and Progress of the British Power in the East;' \* and is, therefore, now sufficiently well known to render it unnecessary to revert to its early annals. Its present position is of more importance to be considered, and this we proceed to state.

The capital stock of the East India Company, vested in the several establishments possessed by them in India and in England, including, therefore, all their public buildings in both countries, with their fortresses, magazines, warlike stores, ships, merchandize, &c., is an open stock; that is, any individual desiring to be a member of the East India Company, may, by purchasing ever so small a quantity of this stock, become a shareholder, as in any other joint stock company, and consequently have an interest in the property, as well as a share in the management of the concern. To entitle him to be present at any of the debates in the Court of Proprietors at the India House, he must possess 500*l.* stock, and having this, he may speak as frequently and as much at length as he pleases on the Company's affairs. Before he can be allowed to vote, however, on any question discussed, he must possess 1000*l.* stock, and have been in possession of this for a full year! As proprietor of 500*l.* stock, he may, therefore, on the very day after completing his purchase, possess the power of addressing and persuading the whole body to any particular measure, carrying perhaps the votes of a thousand by his influence over their minds or interests; but before he can give his own single and solitary vote upon the very question to which he may be able to bring the votes of hundreds, he must have double the quantity of stock, and possess it for three hundred times as long a period!! In other words, a man having the smallest amount of property in the

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\* See the 'Oriental Herald,' vol. v. p. 341, et seq.

concern, and being entirely ignorant of its nature and interests, may assume the functions of a proposer of new laws, or an abrogator of old ones, and take a lead in measures of the most important kind ; while the same man must possess double the amount of property, and pass an entire year in acquiring experience before he can be supposed qualified to form any opinion on the Company's affairs with sufficient judgment to express that opinion by a vote !

It might thus happen that the East India Company of to-morrow, by the present Proprietors selling out their stock, on any occasion of alarm, might be formed of an entirely different set of individuals from the East India Company of to-day ; and, in point of fact, continual fluctuations are thus occurring, to such an extent, that on no two succeeding days is the East India Company the same, either in the number or identity of the individuals composing it.

The present number of Proprietors is understood to be about 3000 ; the amount of stock held by each varying from 500*l.* to 10,000*l.*\* To purchase this amount of stock requires between two and three times the nominal amount of the quantity of stock purchased. At the moment of our writing this, the price of India Stock is 260*l.* sterling for each 100*l.* stock or share ; the reason of which difference is this : instead of dividing, as any other trading company would do, the exact amount of profit or loss, the Directors, sanctioned of course by the Proprietors themselves, *declare*, as it is called, a dividend of 10½ per cent. per annum, and actually pay the whole body of Proprietors the interest on their amount of stock, whatever it may be, at this rate, in two half yearly payments of 5¼ per cent. each. The consequence is, that calculating money to be worth from 3 to 5 per cent. interest, according to the actual rate yielded by other public funds, the 100*l.* India Stock, which yields 10½ per cent. per annum, is worth (the security being considered equally good) 260*l.*, because it would take that sum in any other description of funded property to yield the same amount of interest ; the value being wholly dependent on that result, and the price of India Stock, therefore, rising and falling with other public securities, from the same causes, and generally in the same ratio.

The fixed nature of this interest is occasioned, 1st, by the Legislature having limited its maximum, enacting that the Company should never divide a *greater* interest than 10½ per cent. per annum on their capital stock ; and, 2dly, by the Directors having also limited its minimum, providing that the Proprietors shall never divide *less* than the utmost amount allowed them by the statute.

The motive which induced the Legislature to fix a maximum was this : In the early history of the East India Company, when

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\* See 'Oriental Herald,' vol. v. p. 610, for an analysis of the material of which the Directors are formed.



no limits were set to their dividends, not only was their trading monopoly extremely profitable, but these gains were so augmented by the actual plunder of provinces and people in India, that after paying the most extravagant establishments in both countries, and permitting their servants abroad to partake largely in the fruit of their rapacity, the dividends among the Proprietors were enormous.\* The Legislature, believing that by limiting the amount of the dividend at home they would prevent the rapacity by which these had hitherto been augmented in the spoils sent from abroad, reduced the standard to  $10\frac{1}{2}$  per cent., as the highest rate that could be attained. Not the slightest alteration, however, has been occasioned by this in the rapacity of the Company, which still pursues the same undeviating policy of wringing from the country subject to their rule the uttermost farthing it can yield. The same, or even a greater, proportion of surplus revenue is still raised; and what is not divided among the Proprietors of Stock as gain, is now spent in maintaining the civil and military establishments of the country, in providing for the dependents of the Directors and Proprietors, and in upholding a system of waste and extravagance, which never could have been long countenanced were the Proprietors allowed to reap the benefit of a more wise and economical system, by sharing its profits among themselves.

The motive of the Directors for fixing the minimum of the dividends at  $10\frac{1}{2}$  per cent. per annum, is plain enough. They are themselves, of necessity, Proprietors of India Stock to a large amount; and it is their interest (as much as it is that of the land-owners of England, or any other class,) to make their property as productive as possible. As the *declaration* of the yearly amount of dividend rests, therefore, with themselves, they fix it at the very highest standard that the law will allow, making their minimum correspond with the Legislature's maximum, and taking care never to fall below it.

On this, the question naturally arises, how do they provide for these dividends? And by what imaginable process can they be kept at the same *real* rate, whether the affairs of the Company are prosperous or otherwise? This requires explanation.

The capital stock of the East India Company consists of two descriptions of property; what is called the dead-stock, i. e. money laid out in things not easily re-convertible into money again; and the quick-stock, or money partly invested in saleable materials in India and England, and partly existing in mercantile property continually coming to market in both countries, and actual cash existing in the public treasuries of each country respectively.

As a set-off to these, there is in each country also large debts :

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\* See 'Oriental Herald,' vol. vi. p. 2. *et seq.*

1. Of money owing to individuals in India, who have advanced it to the Governments of the respective Presidencies, in various loans, at from 4 to 8 per cent., for which they hold a security, something like Exchequer bills, bearing a fixed rate of interest, and known in India by the current name of 'Company's Paper.'

2. Of money owing to the Government of England, partly for sums due as the condition of the Charter, which have never yet been paid, and partly for actual advances made by way of loan; and,

3. In money due to the whole body of Proprietors, to the full amount of their stock, which is of course nothing else than their contributions of each individual towards the common treasury of the concern; though this, being owing from the body to the individuals composing it, differs from the debts due from the body to others not forming a part of itself.

The resources of the Company consist :

1. Of the profits on the exclusive trade with China, which, notwithstanding the extravagant manner in which that trade is conducted, is, nevertheless, extremely profitable, from the circumstance that the trade is wholly in their own hands; and that tea, the chief commodity brought from that country, is an article used by nearly every individual in Great Britain, old and young, rich and poor, healthy and sick; in consequence of which, the profit realized by them is enormous, from its universal consumption at their high monopoly price, which, including the Government duty, makes it cost *four times* as much in England as it can be bought for on the Continent of Europe or in America, or as it could be purchased here if the trade were open and free.

2. Of the revenue arising in India from two odious monopolies carried on by the Company in that country:—one of opium, by which they make a profit of 700 or 800 per cent. in spreading this intoxicating drug over China and the Malay islands, and destroying the health as well as morals of the people: the other of salt, of which they force the manufacture by the greatest cruelties exercised on the Natives, and then deprive the poor wretches of the only condiment by which they can render palatable their miserable meal of boiled rice: the salt, under their monopoly, costing 350 per cent. more than it could be had for in an open market, and the severest penalties being inflicted on any one who should be found to evade the enormous tax on this indispensable necessary of life.\*

3. Of tribute from idolatrous worshippers, and visitors to places of superstitious pilgrimage, for the privilege of carrying on their abominable rites.

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\* See 'Oriental Herald,' vol. xiv. . 122, et seq.

4. Of taxes on justice, in the shape of stamps on law proceedings, throughout the whole of the interior.

5. Of a revenue derived from the land,—not in the proportion of *one-tenth* of its produce, which is considered to be so undue a portion for the support of the clergy in England,—but in the proportion of *nine-tenths* of its produce, leaving only the one-tenth for the miserable cultivator to subsist upon, as well as to furnish himself seed and materials to sow and reap another harvest for his rapacious masters.

These are the unholy and oppressive sources from which the East India Company derives its means of paying its dividends. By the first (the monopoly profits on tea) all England is injured in two ways: first, by being compelled to pay four times as much for a necessary of life as it could be had for under a free trade; and next, by preventing the export of British goods to a country where they might be consumed, to an almost unlimited extent, among 300 millions of active, intelligent, and even tolerably wealthy individuals. By all the rest, the people of India and the people of England are equally injured, in the oppressions practised on the one, to enforce the exactions described, and in the obstacles thrown in the way of the other, to the full development of that free interchange of productions and manufactures, by which England and India might (were it not for the existence of the East India Company) mutually enrich and improve each other.

The most painful consideration is, however, that all this injury and misery inflicted on one portion of mankind is productive of no positive benefit to any other portion; nay more, that nothing is wanted but the removal of the exclusive privileges enjoyed by the Company to give relief to millions, and to put in the place of all this injury and suffering benefit and happiness to all parties; and yet, that in consequence of the Legislature having leased out this power of oppressing others for a certain period, it cannot, it would seem, be taken away or resumed before that period has expired.

We have said, that notwithstanding the profits derived from the sources described, the Proprietors of East India Stock do not benefit. What, then, it will be asked, becomes of all these gains? It has been shown that the Legislature will not allow more than  $10\frac{1}{2}$  per cent. profit to be divided among the members of the Company. The effect of this would, at first sight, seem likely to be, that as soon as the good management of their affairs had brought them profit to that amount, the Company would remit taxes in India, and think no more of surplus revenue. This, however, they never do. Though they cannot divide it among themselves as profit on stock, they can spend it for the enrichment of their relatives or dependents. They, therefore, never relax in their endeavours to drain the country down to the lowest ebb of every farthing

it can possibly produce ; and the following are the modes in which the revenue thus raised is disposed of :

1. There is an immense annual loss on their trade with India, (not including China,) in consequence of the absurd and extravagant manner in which they carry it on : their ships sailing at an expense of 20*l.* per ton, while smaller traders perform the voyage at less than 5*l.* per ton. The loss upon this trade is supplied out of the surplus revenue arising from the land. But it might be asked, if their trade with India (not including China) be unprofitable, why do they still carry it on ? why not adhere to their monopolies of opium, salt, and tea, their revenue from idols and temples, their taxes upon justice, and their nine-tenths of the produce of the land ? The reason, no doubt, is, that they are chartered as the ' Company of Merchants trading to the East Indies,' and are bound in that capacity to export a certain quantity of goods whether they profit by them or not. The Legislature would never give them a charter as a ' Company of Sovereigns to rule over India.' They therefore trade, because that is the condition of their existence ; while they govern as it were indirectly, under pretence of protecting that trade ; and as long as they derive, in their capacity of territorial sovereigns, enormous gains, they may well submit, as traders or merchants, to equally enormous losses, since it is only by continuing the latter capacity that they can retain the former, and thus their affairs are redeemed ; added to which, all the patronage and power arising out of, and connected with, these trading and governing operations, in places, appointments, emoluments of office, &c., exists to as great an extent as if both were equally profitable ; and since the dividends of profit are limited, this patronage and power are the only benefits to be thrown into the scale.

2. The two Presidencies of Madras and Bombay, notwithstanding the vast accessions of territory to both, are incapable of defraying their own expenses : and these, therefore, with St. Helena, Penang, and other smaller settlements, form large drains on the territorial revenue of Bengal, from which they are paid.

3. The expenses of the general government in India, civil, judicial, military, ecclesiastical, and marine, and of the home establishment in England in all its branches.

4. The interest of all the debts in India and England, including the dividends on capital stock, which are professedly paid out of commercial profits, but which, be those profits what they may, never vary a fraction above or below 10½ per cent.

When the surplus of income over expenditure is not sufficient to pay this 10½ per cent. interest on the capital stock, the amount necessary to make up the fixed dividend is drawn from the capital itself, and the deficiency thus created is supplied by new loans raised under some other pretence, but in reality applied to this pur-

pose : resembling exactly the transaction of an embarrassed individual, who has a large existing debt, and being unable to pay his interest on it at the end of the year, borrows more money, and creates a new debt to pay the interest on the old one already due, thus going on continually augmenting the weight of his embarrassments, and becoming more and more unable to overcome them.

When the affairs of the Company are well managed abroad, and in spite of every inherent vice of the system, a large surplus is accumulated in the treasury, then, as the Proprietors cannot divide it among themselves as profit, other means are found to dissipate it : sometimes a portion may be applied to the reduction of some particular loan raised at a high interest, in order, by paying it off, to save some portion of that, and then opening another loan at a low rate of interest, by which all the individuals (many of them their own servants) holding Government securities are injured by the reduction of their incomes without a corresponding benefit to any other parties : sometimes also a portion may be applied, in conformity with the provisions of the Legislature, towards public improvements. But much more frequently the whole is expended, either in the increase of establishments, and the consequent extension of patronage, or in some impolitic and ruinous expedition, which turns a surplus again into a deficiency.

This was actually the case at the period of Lord Hastings's abdicating the Government of India. By unusual good policy, and good fortune united, he had accumulated in the treasury of Bengal a surplus of more than ten millions sterling : but before the deliberations as to its disposal were ended, Lord Amherst, his successor, goes to India, and finds there a council who had already prepared for him 'a very pretty quarrel' with the Burmese, which soon absorbed, in its ruinous consequences, not only all the surplus left by Lord Hastings, but the produce of new loans, new taxes, and every other mode of raising money that could be devised : the end of which was, to add several millions more to the Company's irredeemable debt.

But then comes the question, so repeatedly asked by the people of England : Who, in the end, is to pay for all this ? Here is debt after debt, war after war, burthen after burthen, accumulated. Upon whom is the weight ultimately to fall ? The Company, (that is, the Proprietors of India Stock,) as we have seen, benefit not by the prosperity of India, neither do they suffer by its decline. In all and every case, whether their territories are well or ill governed—whether they are productive or unproductive—whether there be an improving peace or a destructive war—they make their dividends the same : squandering the surplus, when there is any, by new wars, and repairing the deficiency, when that happens, by new loans. The consequence of all this is, that no Proprietor of India Stock (as a mere Proprietor) cares a farthing about the prosperity

or happiness of India, and never bestows a thought on its affairs. As a mere trader, why should he? His gains are the same in all cases. And if his labour and attention are unrewarded by any addition to his income, he will not long bestow it upon what is so unproductive. Philanthropists there are, no doubt, (though few in number,) who, without reference to pecuniary gain, would interest themselves in this matter. But speaking of the Proprietors generally, they are utterly indifferent, for the plainest of all reasons, that there is no stimulating motive to be otherwise. This will be the more easily credited when we state of whom they are generally composed:

1. Of large money-dealers or stock-holders, at the head of whom is Mr. Rothschild, the great leviathan, as he is called, of the Stock Exchange.

2. Of East India agents, including the partners of most of the houses of business in the City, who have all a strong interest in possessing a powerful friend in the Direction.

3. Of noblemen, who have formerly either served in, or had connexions with India, either in their own persons, or through their relatives; and who can still, by the appropriation of their votes, benefit the interests of such relatives materially.

4. Widows and children, to whom jointures and legacies have been left, vested in East India Stock, and never since disturbed from its original appropriation.

5. Retired civil and military servants from India, who think it necessary to place their property in some description of public funds, and are led, by the influence of their connexions, to place it in the stock of the India Company.

6. West India planters' agents, and merchants, in order to vote against any questions likely to trench upon their slave property, or sugar monopoly, or to affect in any other manner the general interests of their body.

7. Ship-builders, tradesmen of all degrees, lawyers, brokers, and a number of other classes, desirous of possessing votes that may be turned to account as a mere matter of profit in business.

8. Individuals, having children or relatives to provide for, and looking to India as a country of promise for their future employment, which the possession of votes might tend much to facilitate.

9. Persons aiming at a seat in the East India Direction, and through that to a seat in Parliament, each of which are found to be mutually a help to the other.

By none of these can any hope of benefit from the good management of the East India Company's affairs be entertained. They all know, that whether India is well or ill governed, *their dividends are the same*. Accordingly, having nothing to gain by economy in the

public expenditure of that body, they look for gain in some other shape ; and this is, in obtaining appointments, contracts, jobs, &c., in exchange for their votes : not always by an actual sale of such votes for a stipulated price, but most frequently by that kind of honourable understanding, and that implied interchange of good offices, which regulates the intercourse of ordinary life, and which is often as powerful as engagements given under hand and seal.

Yet, merely to secure this little extra benefit that *may* arise to 3000 Proprietors of India Stock, not in their profits on trade,—for of this, as we have seen, there are none,—but in the shape of provision for relatives and dependents ; and the still smaller benefit to be divided among twenty-four Directors, in the patronage which allows them to give away (for it is forbidden them by law to sell) a few writerships and cadetships every year ;—for these paltry considerations, and for these alone, (for no other benefit whatever can result from it,) is a chartered monopoly continued, to the injury of every individual in Great Britain, (the 3000 Proprietors, and their immediate friends, alone excepted,) and to the injury not merely of all Asia—from which the great benefits that unrestricted commerce would produce, are by its existence shut out—but to the whole civilized world ; for every country upon the earth is directly or indirectly benefitted by the prosperity of every other country ; and all mankind have a strong interest in the general advancement of improvement in every quarter.

Reverting, therefore, to the paragraph of the ' *Liverpool Mercury*,' which we have prefixed to this article, we may ask, with the writer, whether it is not high time, not merely that the merchants and manufacturers, but that all other classes of the community of Great Britain, should 'up and be stirring' to prepare the public mind for a change which can produce no evil, and which promises so much good ; to impress upon the Legislature, by every legal and just means, the necessity of abolishing a system pregnant with a thousand evils, and conducive to no one good that may not be more extensively as well as more certainly attained by that free and unrestricted intercourse with the East, which, come when it may, must bring a thousand blessings in its train.

We have said enough, we trust, to awaken attention to this great subject : and we derive great pleasure from the prospect, that between the moment of our writing this, and the hour on which the struggle will commence, we shall be usefully and honourably occupied, as we have been for the last ten years, in storing up and recording, in a permanent shape, every fact and argument that can conduce towards a victorious result. From this storehouse will hereafter, we hope, be drawn an irresistible artillery, to batter down the outworks, and ultimately to demolish the whole fabric of monopoly, oppression, and injustice, by which more than 400 millions of human beings in Asia, and the whole population of our own country

are at present deprived of benefits, which, but for this barrier, would be within the reach of all. The iniquity of supporting such a system a moment longer than is unavoidable, must be apparent to every one who deem the happiness of so many millions of beings of more importance than the privileges of the mere handful, to whose imaginary good they are thus heedlessly sacrificed. But when it is considered that the advantages which even this handful derive from the existing system is merely from indirect patronage and power; that, as it regards fair and honourable commerce—the great object for the promotion of which this Company of Merchants was expressly incorporated, and on which alone they hold their charter—they are precisely in the situation of the dog in the fable, neither cultivating nor enjoying for themselves the benefits which this commerce is capable of yielding to those who might engage in it, nor permitting any other persons to use profitably what they neglect—shutting out their own countrymen from the trade with China, where all the world, except Englishmen, may trade freely, and preventing their own countrymen from cultivating an acre of land in India, where all other Europeans may freely sow and reap;—when all these things are considered, it is only matter of astonishment that such a system has endured so long. We conclude, in the words of an eloquent writer, whose work cannot be too often adverted to, nor whose words too frequently repeated: \* ‘To talk of preserving such a system, is to war with the unconquerable instincts of nature, the consenting testimony of experience, the plainest dictates of justice, the irrefragable conclusions of political wisdom. But the days are numbered during which it will be permitted to cumber the ground. Already it begins to stagger, crack, and gape; and *whoever shall contribute to its entire subversion will deserve well of his country, of India, and mankind.*’

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TO GLORY.

Soul of the far but unforgotten Past,  
 Queen of the sword and Lady of the lyre,  
 Spirit of thoughts too high, of deeds too vast,  
 To fear, like clay, the waste of flood and fire,  
 Or darkly perish on Oblivion's pyre—  
 Whence, like the birds† from Memnon's pile, they spring,  
 Born from the dust, but not with years to tire,  
 Or furl in death the everlasting wing!  
 Teach me, oh teach me, but for once to fling  
 My hand thy own triumphal harp along—  
 To strike one strain, whose echoes yet may ring  
 Above the spot where rests a friend of song!  
 Do I but dream the laurel yet may wave  
 Memorial verdure o'er its votary's grave?

Crediton.

J.

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\* ‘Colonial Policy as applicable to the Government of India.’ Published by J. M. Richardson, Cornhill, 8vo. p. 337.      † Ovid. Met.



## MEMOIR OF THE CELEBRATED TRAVELLER, BELZONI.

IN a recent number of the Gazette of Milan, there appeared a paragraph, stating, that on the 14th July last a fête was held at Padua, the native city of Belzoni, in honour of its distinguished citizen. On this occasion was presented, in the presence of the magistrates of Padua, a medallion, intended to transmit to posterity the discoveries and achievements of one of the most illustrious of modern travellers, whom they conceived it due to his merits to rank with his earlier fellow-countrymen, Marco Polo, Columbus, and Americus Vesputius. In a discourse which was delivered by the orator on that occasion, the principal events of Belzoni's life were recounted, and his private virtues enumerated—amidst the applauses of his fellow-citizens. The Paris Journal, '*Le Globe*,' in mentioning this fête on the authority of the Milan Gazette, gives, from a French work, '*L'Annuaire Necrologique*,' the following account of his life, understood to be from the pen of M. Depping, which we deem of sufficient interest to translate entire for the readers of the Oriental Herald, to whom we feel persuaded it will be highly acceptable. The writer thus introduces his subject :

One day in the autumn of the year 1821, a man of colossal stature and Herculean frame presented himself before me : the height of his head, which reached the top of my door-way, and the broad expansion of his shoulders, realised my idea of Telemon Ajax : his face was obscured by a superfluity of hair, his eyes were small, but his physiognomy was mild, and had nothing terrifying. He had a volume in quarto under his arm, and was accompanied by the bookseller, Galignani. I guessed that he was an author, but, I must own, that till that moment I had never seen one of his build. Such would be the writers of the Patagonians, were literature in vogue with that people. This Hercules, in a voice as gentle as was his physiognomy, avowed to me the object of his visit. He opened his quarto, showed me the name of Belzoni on the title-page, and explained to me, that in the course of adventures of all kinds in Egypt and Nubia, he had made there observations and discoveries of great importance ; that he had just had the account of these printed in London, and that it was his wish to have a French version of it published in Paris, at the same time that the original should appear in English, and that if I would undertake the translation, Galignani would have it printed without delay.

Till then the name of Belzoni had been known to me only from the accounts which the English papers had occasionally given of his adventures and travels on the banks of the Nile. He himself spoke of his laborious travels, and of his wonderful discoveries, in a few words only, and with a smiling countenance, as we would recal to

mind a party of pleasure of the day before. It was not till I had read the volume he left with me, that I was able to appreciate this extraordinary man ; but I was still more astonished afterwards on learning the particulars of the life of this foreigner, who had commenced his career on the show-boards, by gaining his livelihood as a mountebank, and had ended by opening one of the Pyramids of Egypt, and withdrawing, from beneath a mountain of sand, the gigantic temple of Ipsamboul.

Belzoni was born a traveller, as other men are born poets, mechanics, and astronomers. He became the victim of that irresistible passion which made him pass his life in wandering over the globe, and which caused his death, in the climate of the tropics, among the burning sands of Guinea. His life is a curious example of the controlling influence of a passion which instigates us without ceasing, and to which education has not taught us to oppose the force of reason and the influence of knowledge. Belzoni became a celebrated adventurer ; a better education had rendered him, perhaps, one of the great men of his country.

He was the son of a poor barber at Padua, who was more blessed with children than with resources for maintaining them, and who had nothing to leave behind him to his son, John Baptist, who was born in 1778, but his own wretched calling: 'The young Belzoni had begun to share the labours of his father's shop, but he soon got disgusted with it, and, like Gil Blas, felt a desire to see the world. He had often heard his parents speak of Rome, whence his family originally sprung, and it was Rome that he sighed to see, without hope of ever being able to satisfy this ever-increasing desire. He had attained the age of thirteen, without having seen any place but Padua, when one day his friends, to indulge themselves in a little recreation, made an excursion with their children to the delightful Mount Ortono, near the warm springs of Albano. On beholding this picturesque spot, so new to him, the young Belzoni was delighted ; he returned to Padua in a state of excitement ; the abode of the gloomy barber's shop now inspired him with an invincible aversion ; and the very next morning, taking with him his younger brother Anthony, he abandoned his paternal roof, and hastened to return to the delightful scene of the preceding evening. On the road, already feeling the fatigue of the journey, the striplings met a *vetturino*, who proposed to them to go in his *vettura* to Ferrara. The young barber, delighted to be able to extend his journey beyond the hermitage of Mount Ortono, leaped into the carriage with his brother, and the *vetturino* continued his rout. Arrived at Ferrara, the driver demands his fare ; the children having nothing with which to pay him, he strips their coats from their backs, returns them a small sum of money as overplus, and in that state leaves them.

Instead of being dismayed by this accident, young Belzoni thought

only of the pleasure of being on his way to Rome, and gaily continued the journey with his brother. Some passing travellers took compassion on the two children, and gave them places in their carriages; but obliged at last to quit the road to Rome, they left them on the Appenines, after presenting them with a trifle in money. To John Baptist there appeared no further obstacles to his journey; but the little Anthony, while resting on a stone by the road-side, began to cry for his parents, and refused to proceed further. Our intrepid traveller was obliged to yield to the despair of his brother, and returned with him mournfully to his paternal abode. But Belzoni's desire to see Rome was not extinguished; and neither his native town, nor the hearth of his parents, had any more attractions for his errant disposition. At the end of three more years, having enlisted another fellow traveller, he again bent his course to the city of the Tiber, and this time actually reached it. We know not what he did there; it is pretended that he studied in Rome the art of hydraulics, and it is possible that he did acquire there some ideas of that art, since he subsequently performed publicly hydraulic feats; but it is doubtful whether he ever made a regular course of studies, and whether he ever applied seriously to any science or art. An easy and versatile disposition, like the great part of his fellow-countrymen who emigrate, he knew how to create resources for himself, heedless of what they were; and he possessed a certain aptitude for all kinds of occupation and enterprise. Such dispositions as these, which will keep a man from starving almost in any place, were of little advantage to him in Rome, where there was too much competition in the same way. Belzoni, after the example of so many others, became a monk for his livelihood; and this, generally, becomes the calling of those Italians, Portuguese, and Spaniards, who have no other.

The monkish habit inspired the Paduan novice with no taste for seclusion. He had become already weary of the monastic life, when, at the commencement of the Revolution, the French troops entered Rome, and there established the shadow of a republic. Belzoni lost no time in taking advantage of the liberty they proclaimed to consign his gown to the fire.\*

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He returned to Padua, but at a loss for employment there, he again quitted his native city in 1800, and this time directed his steps towards Holland. It does not appear what determined him on this project; perhaps having heard that the Dutch held in great esteem the art of hydraulics, so necessary to them, he had an idea that he might derive advantage among them from what he had learnt of that science. He appears to have again deceived himself in his

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\* Half a dozen lines relative to the Monks are here suppressed by the French Censorship; so that their tenor may be easily guessed.

calculations, and, in truth, the Dutch were far more fit to be his masters than his scholars. At the expiration of a year he re-appeared in Italy; but we soon find him again starting from thence, with one of his brothers; he passed again through Holland, and embarked for England in 1803. His colossal growth had then fully developed itself; he attracted attention wherever he appeared; his strength corresponded with his size, and his exterior was sufficient to excite a prepossession in his favour. A young Englishwoman consented to give him her hand, and to share the wandering lot of a man destitute both of fortune and profession. This couple when united beheld but an uncertain prospect before them; they knew not well what was to become of them. Belzoni conceived the idea of levying contributions on the curiosity of the public to behold him; and he determined to make the tour of Great Britain, and to visit town after town, performing hydraulic feats, and giving proofs of his own muscular strength. In Scotland, he began at first by merely exhibiting physical experiments; from these he derived but little profit, so in Ireland he joined to them feats of strength. It was a spectacle not a little curious to see this Colossus advance on the stage, carrying or drawing along with him a score of men, attached to his body.

This poor resource, however, could not go far with him; and the public soon grew weary of the monotonous spectacle. Belzoni, indeed, had no mental qualities of sufficient originality to amuse his beholders, more especially such as were of cultivated minds, for any length of time; and he found it necessary, therefore, to seek his fortune elsewhere. In 1812, he embarked with his wife for Portugal; and, on his arrival at Lisbon, presented himself to the director of the theatre San Carlos. This manager conceived the happy idea of engaging him for the character of Sampson, in the pantomimic ballet so called. Never was the Jewish Hercules represented more to the life. During a whole carnival, Belzoni drew crowds by his feats of prodigious strength; but, at last, when there was no further call for his performances, he went to Madrid, and there continued to play Sampson. Having exhausted this resource also, he embarked for Malta, probably with the design, already formed, of extending far beyond that point the career of his speculations. Many of his fellow countrymen had gone to Egypt before him, confident of there gaining something; and Belzoni probably concluded that he should not be less expert than other Italians.

He proceeded, therefore, to offer his services to Ismael Gibraltar, an agent, residing at Malta, of the Pasha of Egypt. Having intimated his knowledge of hydraulics, he was encouraged by this agent to go to Egypt, where he might probably be employed in the construction of an engine to conduct the waters of the Nile into the gardens of the Viceroy at Cairo. Nothing positive was promised

him, and it was only on the strength of the mere invitation of an agent, that Belzoni was to embark with his wife, and a little Irish servant, for another quarter of the globe. But he had no option, and destitute of every other prospect, he was desirous of trying his fortune in Egypt. The occurrences which happened subsequently have been related by himself in the account of his travels, and I shall content myself with making a rapid analysis of what he has stated in full detail, and very interestingly in that narrative.

The commencement of his career in Egypt was not encouraging. He found the plague at Alexandria ; at Cairo, a Turk assaulted him in the street, and wounded him ; the troops of the Pasha revolted, and he was obliged to shut himself up in the house to preserve his life. Belzoni, however, transformed into an engineer, had been presented to the Viceroy, and it had been agreed that he should construct an hydraulic machine for watering the pleasure-gardens of the Pasha at Soubra, on the Nile. There was no little temerity in thus proposing himself for a mechanical constructor in a foreign quarter of the globe, without having ever put together a machine of magnitude. The work, however, was soon finished, and the Viceroy came to witness the first trial of this European machinery, which was to spare the hard and tedious labour, till then performed by oxen. According to Belzoni's account, the trial was perfectly to the satisfaction of the Pasha ; but his Highness having conceived the unlucky whim of making fifteen men, together with the little Irishman, mount on the wheelwork, to see what effect would be produced, these men, as soon as the machine began to move, were thrown out with violence, and the little Irishman had his thigh broken, while it was only by the personal strength of Belzoni that the rapid motion of the engine could be arrested. This was sufficient to disgust Mohammed with the undertaking ; for the Turks regard the happening of a misfortune on a first trial as a bad omen ; and the Pasha had been, moreover, persuaded that the expense of the machine would far exceed that of ordinary irrigation. I should not be surprised if the truth were, that the engine was not of the very best order ; that the Turks, already often deceived by the promises of European travellers, had not conceived a very high opinion of Belzoni's talents.

However that might be, our traveller having lost his time and his labour, and being no longer able to reckon on the favour of the Pasha, was in no slight embarrassment. Fortunately for him, Europe, attracted by the grand French work of the Egyptian commission, and by the researches of some learned Englishmen, had begun to turn her attention to the antiquities of the banks of the Nile. Two consuls, equally active, zealous, and sagacious, Messrs. Drovetti and Salt, were carrying on excavations at their own expense, and forming splendid collections of monuments of ancient Egyptian art. One of the collections so formed is now at Turin and the

other has been acquired, in part, by the King of France. The Italians, adroit in researches of this kind, entered into the service of the one or the other of these diplomatists, who rivalled each other, and sometimes represented, in miniature, the mutual jealousy of the countries of which they were the agents. Belzoni made a tender of his services, and Mr. Salt engaged him to remove and transport to Alexandria the enormous colossal bust in red granite, of the younger Memnon, which lay half buried in the sands on the banks of the Nile, near Thebes. A new career, and, in some degree, a new profession, were thus opened to Belzoni, whom we are henceforth to contemplate devoting himself, with the greatest success, to the discovery of antiquities. Dressed as a Turk, he assembled the peasantry, and with all the gravity of a Cadi or an Aga, assigned them their task. It is even said that he was not sparing in inflicting corporal punishments for trifling offences or transgressions against discipline. A man of Belzoni's stature, furnished with a firman, with money, and with a cane, would necessarily impose respect on the Egyptian Fellahs. By dint of patience, of threats, and of his natural intelligence, he succeeded in embarking on the Nile the old gigantic monument, and in depositing it in the port of Alexandria, whence it was afterwards transported to England. It is now one of the treasures of the British Museum.

Once set going, the speculative disposition of the Paduan traveller lost no opportunity of exercising itself in its new career : he visited the temples ; he dwelt with the Arabs in the caverns of the valleys ; at the mouths of the catacombs he examined hundreds of mummies, or rather he buried himself for days together in subterranean caverns, where whole mounds of them are heaped together. I doubt whether any other European traveller has handled so many embalmed corpses, or contemplated the remains of so many generations of the times of the Pharaohs and of the Ptolemies. These various researches disclosed to him a mass of curious circumstances, which he has inserted in his published narrative, and in this sort of experience he must have rivalled the very Arabs who deal in the mummies they turn up with their spade or their pickaxe. He probably collected for Mr. Salt many papyrus records, utensils, idols, and other objects of antiquity, which he has omitted to publish, because he had to describe monuments of greater importance, which but for him, might have probably remained unknown for ages.

The consul Salt soon projected another enterprise for the activity of our traveller, now become an expert antiquary. This was to ascend the Nile into Nubia, and to excavate the superb temple of Ipsamboul, so enveloped in a hill of sand that the summit alone was visible. It seems that the learned traveller, Burckhardt, who was then in Egypt, had pointed out this object of search to the English consul. It was an enterprise much more difficult than the removal of the bust of Memnon. Belzoni, arriving amongst a people

almost savage, and commanded by avaricious chiefs, had to conciliate their favour, or to paralyze their bad dispositions by the promise of gain; and to prevent their thwarting his operations, but to induce them to aid him by labouring themselves, he had, besides, to make these barbarians comprehend his real design and intentions. It is difficult to convince them from what motive Europeans can be so insane as to come so far as Africa in quest of old stones; and they persist in believing that the real object of the journey is to seek and carry off hidden treasures. The adroit Belzoni surmounted all these obstacles, and he had the honour to be the first to penetrate into this superb temple, which was probably raised to the glory of the great Sesostris, whose colossal statues, both in the front and in the interior, produce the most imposing and singular effect. After having taken so much pains to make his way into the temple, Belzoni appears not to have had time to examine the interior, where he, moreover, found an atmosphere of suffocating heat. The description he gives of it is incomplete; and it is by travellers who have come after him, especially M. Gau, that we are furnished with the interesting historical sculptures which adorn its walls. If ever the sands should again bury this curious monument, as they have already buried a great number of monuments of ancient Egyptian architecture, faithful designs at least of this grand work—thanks to the labours of Belzoni and of those who have followed after him—will still remain to us.

No sooner had Belzoni returned from Upper Egypt than, furnished with resources by the consul Salt, and by the English commercial house of Briggs at Alexandria, he undertook an excursion to the valley of Beban-el-Malouk, on the far side of the hills which bound the environs of Thebes. On a previous visit to the sepulchral caverns of Gournah, inhabited by avaricious Arabs, who besides avail themselves of the wood of the coffins of the mummies as fuel for the fire by which they dress their food, the sagacity, or if we may so say, the instinct of the Italian traveller had already divined that the sides of these rocks, deeply hollowed of old by the hands of the Egyptians, must still contain several remarkable tombs concealed with care from the profane eyes of posterity. Full of this idea, he went to the valley of Beban-el-Malouk, and establishing himself there, ranged about in all directions, sounding, searching, boring every where, till at last a fissure in the rock suddenly drew his attention. Not one person out of a hundred would have suspected any thing here; but Belzoni, with the tact which he had already acquired in Egypt, observed some traces of human labour in this fissure. He attempted to widen it. The stones came tumbling about his ears, and to his delight he found himself at the entrance of a long passage, the walls of which were covered with paintings and sculptures, and which promised to lead to the tomb of some grand personage, a tomb till then unknown to the whole of modern Egypt. He entered this vast subterranean corridor; a

kind of fosse, bounded by a wall, seemed to terminate it, and to mock the hopes of the explorer; but accustomed to overcome obstacles, Belzoni leaped the ditch, passed through an opening in the wall, and arrived at the sepulchral chamber. In the middle of this chamber there was placed an alabaster sarcophagus, covered with sculpture, well adapted for the preservation of the remains of a king, or some other illustrious personage. This magnificent coffin was empty; some Arabs or other people, a long time perhaps before the arrival of Belzoni, had penetrated into this subterranean tomb, and had pillaged it, as Belzoni, or any other European travellers would have done, had they been the first to find it. Nevertheless, for a man who understood the value of antiquities, there still remained a rich booty to make, by carrying off the alabaster coffin, and making copies of the rich decorations of the vault, which Belzoni, on the authority of the English Orientalist, Young, calls the tomb of the King Psammuthis. According to M. Champollion, it is the tomb of the King Onsiel, son of Rhamses the First. Other learned men have thought that it is not a tomb. One person has attempted to prove that it is a Serapeum, or a temple consecrated by Sesostris to the funeral mysteries of Serapis. It is known, from ancient authors, that the Egyptians celebrated mysteries in subterranean places, into which even the priests had access only on the days or nights devoted to the mystic ceremonies. In some English publications it has been insinuated that the pretended sarcophagus, which in form resembles a trough, represents a boat, and was placed in the situation where it was found as an image of the ark of Noah, and to serve as a mystical symbol of the deluge. This singular conjecture has been suggested not only by the form of the *soros*, but by the figures which are found sculptured on it. Among these are observed a boat with eight men, and other personages, who appear to be surrounded by the waves of the sea; a divinity is seen hovering over this scene.

It was a work of no slight labour to make drawings of nearly a thousand figures, of all sizes, and more than five hundred inscriptions; but these sculptures and pictures presented groups so interesting, and formed such curious historical tablets, that Belzoni, who perceived their full value, was not discouraged at the labour it cost to copy them. By the aid of his compatriot, Ricci, who had the advantage over Belzoni of knowing how to draw, he made designs of these enigmatical figures; nay more, he composed a sort of plaster, in which he took impressions of the principal groups. By these means, he has been able to convey to us here in Europe a clear and precise idea of his important discovery; and he has exposed to public view, first in London, and afterwards in Paris, a representation, on a small scale, of the regal tomb at Beban-el Malouk.

That which he exhibited to us at Paris, and which was less satis-



factory than it might have been, on account of the confined space devoted to it, was thus arranged : At the entrance of the hall were placed some of the coffins, covered with paintings, which Belzoni had either drawn from the tombs himself, or bought of the Arabs. The part on the left hand was occupied by a plan, in relief, of the vault which he had had the glory of finding and opening. With the narrative of his travels in our hand, we could follow him step by step, and could recognise every particular spot in the tomb, which he has noticed in his interesting recital. When the mind had sufficiently comprehended this plan, which was very long, we descended into a vault, constantly lighted by glass globes, and divided into several small chambers. The walls of these rooms were covered with coloured casts from the impressions taken in the tomb, and these being skilfully joined, seemed to form one entire whole, as in the original work. We had, therefore, before our eyes real *fac-similes* of the Egyptian bas-reliefs, and if they were not either so numerous, or arranged precisely in the same order, as in the tomb at Beban-el-Malouk, yet at least the groups which we beheld were absolutely the same as those which still exist in Egypt. Painted in fresh colours, and more vivid, no doubt, than in the original, they appeared to have been but just done ; so that these works of art, the style of which was truly Egyptian, and bespoke the age of the Pharaohs, but of which the colouring was so recent, caused a singular sensation, which it was at first difficult to account for. In them we beheld solemn homage paid to kings or princesses, convoys of prisoners of divers nations of Africa, and perhaps of Asia, and other historical scenes, which only wanted names and dates to enrich history with whole pages entirely new. Those who did not see this curious exhibition, may acquire some idea of it from the atlas which accompanies the travels of Belzoni, and in which he has again represented, in colours, the principal groups, as well as a part of the mythological and hieroglyphical symbols ; but it is apprehended that the latter have not been copied with the same fidelity as the figures ; and if this be the fact, it is the more to be regretted, as very exact copies of the hieroglyphics, such as are minutely faithful, are now called for, in order to arrive at the more certain interpretation of them. At some future day, perhaps, these historical tablets, which Belzoni has drawn from under the rocks of Egypt, may furnish most precious materials for history, mythology, and ethnography. Even at present they may be cited among the monuments calculated to elucidate the progress of the painting and sculpture of ancient Egypt. The sarcophagus itself has been carried to England, and sold, according to the English papers, to a private individual, for 1000*l.* sterling, out of which Mr. Salt has repaid himself a part of the expenses incurred by him in procuring it. An English mineralogist has undertaken to prove that the sarcophagus is not of alabaster but of aragonite. It is surprising that Belzoni took no casts of the groups sculptured on this *soros*, and that he gives no particulars of them, either in his narrative or in his atlas.

It is one of those omissions which are numerous in his book. It may have happened, that working on account of Mr. Salt, he was not at liberty to publish whatever he pleased.

Belzoni was desirous of making casts of the bas reliefs of the walls of the tomb of Psammuthis for the various museums of Europe, which by those means would have obtained copies perfectly identical, of a fine series of Egyptian sculptures; but he does not appear to have received many orders for them. A morsel of the original having been placed in the hands of Mr. Smithson, in England, that gentleman made a chemical analysis of the colours, which, for thousands of years, had covered these carved figures. He found that they were simple substances, such as oxides of iron and copper, carbonate of lime, and pounded charcoal.

But it is time to resume the recital of the travels and enterprises of Belzoni. On his return to Cairo, another object of research was soon found him. Some time previously, Mr. Salt had already engaged him to undertake some excavations at the foot of the celebrated Pyramids. Another Italian, Caviglia, had just examined a vault which extended under the greatest of these enormous masses of stone. Belzoni, it seems probable, did not at that time expect great success from such researches; but after the discovery which he had made of the temple of Ipsamboul, and of the regal tomb at Beban-el-Malouk, he became bolder in his hopes, and had the courage to conceive the idea of penetrating into the second pyramid, that of Cephrenes, around which the curious had been doomed to wander, without knowing what it contained, persuaded that it had never been opened. It appears that Belzoni was of this opinion himself; at least in his narrative he gives us to understand that it was by an attentive inspection of the exterior of the pyramid, and by comparing this exterior with that of the neighbouring one, that he was led to the discovery of the concealed passage which conducted to the interior. It is, nevertheless, certain that the memory of an entrance having been effected by the Arabs into this pyramid was not extinct when Belzoni made his discovery. More than one writer has spoken of it; and Colonel Grobert, an ancient Member of the Egyptian Institution at Paris, had noticed the fact in his work on the pyramids. It is probable, therefore, that Belzoni had heard of it; perhaps he had forgotten the circumstance by the time that he wrote the account of his travels. However that may be, he discovered the narrow passage which led to the interior, and penetrated to the sepulchral chamber, where he found a sarcophagus, with the bones of a bull; an important discovery, which precludes all doubt as to the object for which this pyramid was raised. Herodotus, who had asserted that it had not served for a sepulchre, is refuted, in the clearest manner, by the Italian traveller; and it is no small glory for him to have put an end to so many conjectures and dreams which had been indulged in, especially in modern days, on the motive of the erection of the pyramids. The second, at

least, seems to have been built by the advice of the priests, solely for the purpose of treasuring the remains of some Apis. Several years after the travels of Belzoni, a bull's skull was likewise found in one of the pyramids of Sakhara. Thus, instead of the exalted wisdom which some have pleased themselves with attributing to the ancient founders of the pyramids, they cannot be regarded, in our days, other than as a people superstitious even to puerility.

Belzoni's last discovery made some noise at Cairo : strangers hastened to visit the interior of this pyramid, which had been inaccessible for ages. English, French, and Italians hurried to the spot : Belzoni did the honours of his pyramid to all, and he inscribed his name in large letters in the sepulchral chamber, in which there already existed an inscription in Arabic, left by Musulmans, who had already penetrated as far, six centuries previously. He afterwards made a model in miniature of the pyramid which he had opened, and of the passages which conduct to the centre of it.

After enterprises such as these, the conveying to Alexandria, by the stream of the Nile, an obelisk of the isle of Philœ, was mere sport to Belzoni. But it is a circumstance characteristic of his hardihood, that he even dared to trust the vessel which bore this interesting monument, now raised in some Royal Institution in London, to descend by the cataracts of the river. We may here notice the acquisition also made by Belzoni, but not without much difficulty, from a tomb at Thebes, of the cover of a sarcophagus, which has itself the merit of a monument, although it be in truth but the part of a more important monument, which we are informed constitutes part of the collection of Mr. Salt, obtained by the King of France for the Museum of the Louvre. The lid, which has been carried to England, and presented by Belzoni to the Cambridge Museum, is an enormous block of red granite, ten feet long and five wide, carved with the image of the royal personage whose mummy was deposited in the sarcophagus.

About the same time, a French traveller, M. de Cailliaud, had returned from a journey to the ancient emerald mines, lying on the route between the Nile and the Red Sea, and had presented to the Pasha specimens of the precious stones which he had found. Belzoni, devoted to the interests of the English, appears to have conceived some jealousy on this account : he even speaks with a degree of ill-will of M. de Cailliaud, who has been wise enough not to have recourse to recrimination in the recital of his travels, published since the narrative of Belzoni. Belzoni undertook the same journey, and went further than M. de Cailliaud, for he visited the shores of the Red Sea, as far as the ruins of an ancient city, which, according to him, is Berenice. This excursion through the deserts which lie between the Red Sea and the Nile, and which are so little known, is full of interest ; our traveller, however, succeeded no better than M. de Cailliaud in acquiring a knowledge of the country of the mines ;

in this respect, the French traveller gives far more details than the Italian. It is to be regretted, also, that Belzoni wanted the instruments, or the knowledge requisite for fixing with exactitude the geographical position of the unknown places which he visited in this excursion. He might have laid down a most interesting map of them.

He undertook another journey to Faioum, and to an Oasis, which has been visited since, and described by M. Cailliaud, and by the Prussian General, Minutoli. In this excursion Belzoni saw the lake Mœris, the waterless sea; he thought even, somewhat on light grounds it must be owned, that he recognized under a hillock the bones of the army of Cambyzes, which perished in the deserts; and lastly, he imagined he was arrived at the famous Oasis in which stood the temple of Jupiter Ammon; but this honour does not belong to him, although he has not hesitated to assume it in the title-page of his work. It has been satisfactorily proved against him, that he penetrated no farther than the little Oasis renowned for its dates; but, at the least, he is the first European who has given a good description of this country, in which there was not even a tradition of there having ever appeared a single adventurer from our quarter of the globe. In this last journey, he had opportunities of living among the Arabs, and of collecting interesting traits of the habits and ways of living of these Nomadic tribes.

During the progress of his excavations and researches in the heart of Egypt, Belzoni had often encountered the agents or protégés of the French consul, Drovetti; these rival adventurers thus meeting, formed two hostile, or at least rival, parties, each of which zealously defended its conquests, its ground, its tombs, and its temples. Belzoni, accustomed to make himself obeyed by the Arabs, and to impose respect and awe by his gigantic stature, did not show much consideration for his competitors. He drove them without ceremony from ground occupied by himself, and they perhaps in their turn requited him by similar treatment. Hence there arose numerous quarrels and intrigues, which occasioned endless embarrassment to the two consuls, and inspired the Egyptians with but little esteem for Europeans, for those at least who were engaged in raking with so much avidity about the ruins, under the auspices of the consuls. Belzoni in his narrative enlarges much on these wretched disputes, which unveil the paltry feelings and conduct of those adventurers who seek their fortunes in the East. He asserts, that two Piedmontese, in the service of Drovetti, sought to assassinate him, and that unable to obtain justice of the consuls, he resolved to quit Egypt, and return to Europe. He embarked, therefore, in the month of September, 1819, and first paid a visit to his native city, from which he had been twenty years absent.

It was now neither the retailer of relics, nor the ambulant experimenter in physics, who presented himself to his countrymen. Preceded by the renown acquired for him by his discoveries, which had been blazoned by the journals of all the nations of Europe, Belzoni

entered Padua as an antiquary and celebrated traveller. He even had it in his power to present to his native town an offering which bore witness to the success of his researches in Egypt, and which consisted of two granite statues with lion's heads. The town has caused them to be placed in the Palace of Justice; and to honour and reward a citizen who had rendered himself so illustrious by his travels, a medal was struck, on which the name of Belzoni and mention of his present were inscribed. A copy in gold of this medal was presented to him by the chief magistrate of the place, together with a public letter, expressing the gratitude of the Paduans towards the object of that honourable distinction. The town of Padua had no power, it seems, to do any thing beyond this for Belzoni, and as it was not a theatre sufficiently spacious for his active and enterprising spirit, he returned with his wife to England, where he could reckon on more powerful support, and on an interest more general.

The English journals had kept the public acquainted with the progress of his discoveries; and Belzoni himself had sent many notes to England during his sojourn in Egypt. The public curiosity was highly excited by the announcement that monuments, which were to follow his arrival, had been embarked, and were expected, as well as by the presence of this giant, who, under the auspices of the British Consul-General, had performed such wonders. The national pride was flattered by the archæological exploits of a foreigner; who had devoted himself exclusively to the service of England, and who had been on the point of engaging in mortal contest with the agents of a rival power. He was welcomed as if he had belonged to England: and the public looked with impatience for the publication of his narrative, and the exhibition of his monuments.

Belzoni soon got up the narrative of his travels and discoveries; and it appeared towards the end of 1820, in a volume in 4to., accompanied by an atlas of lithographic plates, representing the principal scites and antiquities to which the text related. As soon as the printing was completed, he came to Paris, as I have already stated, in order that a French translation might be published at the same time as the original English. I made this translation in the space of about two months: and the sheets, as fast as they issued from the press, were submitted to Belzoni. I had added some few notes and explanations, drawn in part from the works of other travellers, especially from that of the learned Burckhardt, which had then just appeared; and I had curtailed the history of the journey of Madame Belzoni, which is placed at the end of that of her husband, and which, in the original, contains much unimportant matter. I must not conceal the fact, that my work provoked from Belzoni several letters written in a very animated, and sometimes a very sharp style; for although, by the advice of several judicious friends, I had let the invectives remain, which the author had vented against

the French with whom he had to deal in Egypt; I had, in some instances, moderated their too crude expression, and I had avoided the frequent repetitions of his complaints, which, far from conveying information to the reader, only tended to weary him. Belzoni, rendered captious probably by his disputes in Egypt, fancied, in these modifications, as well as in the explanatory notes which I had added, a design to deviate from his glory, and to lessen his merit in the eyes of the French people. In the sequel, however, he softened, and himself sent the sheets of my translation to Italy, in order that the Italian translation might conform to mine. The editors of the Italian edition, the brothers Sonzogno of Milan, in a preface explained their motives for preferring in their work the French translation to the original.

In England, the work of Belzoni obtained all the success which could be expected from a simple and faithful relation of the discoveries and adventures of the author in a country rich in monuments and historical fame. His book went through three editions, and all the journals made ample extracts from it. In France, its success was not so decided; and this was natural: for archaeological inquiries do not excite there so much interest, and it has required a long time to make the Parisians understand that Egypt abounded in monuments deserving our curiosity. When Belzoni's work was brought out, they were not yet fully persuaded of this. His work, moreover, exalted the English at the expense of the agents of France, a partiality which wounded the French self-love, and by no means conciliated for the author the affection of France. Lastly, in order that a narrative of travels become in vogue with us, it is necessary that the author should introduce into it a certain degree of art, and, what is still more essential, a considerable portion of imagination; whereas Belzoni confines himself to the simple narration of what he saw and what he did, without any refinement of words or images. In France, we are even disposed to pardon the traveller for altering the truth in a slight degree, provided his recital be engaging; but in Belzoni the interest arises from the facts, and the intrinsic merit of the matter itself: the manner is altogether neglected. It is a work full of instructive details, and if the author had possessed more learning, and had spared the public the history of his disputes, he might have composed one of the most interesting books of travels existing. It is to be regretted also, that he did not possess a more profound skill in drawing; his atlas, in that case, would have been better; and had he been more versed in architecture, his monuments would have been represented with more accuracy: but it is seldom that travellers possess all these endowments.

As soon as his work was finished, Belzoni lost no time in forming in London an exhibition of the antiquities which he had acquired on his own account, and especially of the bas-reliefs which he had moulded from the originals of the regal tomb at Beban-el-Malouk. He arranged them very ingeniously in subterranean

chambers, lighted only by lamps. This exhibition he subsequently repeated at Paris, as I have shown above, when London had been satiated with this kind of spectacle.

The inclination for travelling was far from being extinct in him after this expedition, at once so honourable and laborious; he looked around for a new career, and sought for fresh dangers by which he might signalize himself, and he reckoned on the support of the English and their spirit of enterprize. But it appears that, in his impatience, he tried to obtain from other governments some mission to the unknown countries of Asia and Africa. He came to Paris to present his work to the King of France; and he went to Russia. I am not aware what his proposals were, but it is certain that no arrangement was made with him. During this journey, probably, offers were made to him on the part of the British Government, for he returned in haste to England by the way of Stockholm and Copenhagen. A Danish author, M. Feldborg, has given some details of the sojourn of Belzoni in the last mentioned city, and relates, among other things, that Belzoni was present at the Danish theatre, where he understood not a word; and, on being asked what pleasure he could derive from it, he answered, that, in every country which he visited, he liked to throw himself among a great assemblage of the people, for that it was seldom that he did so without acquiring from it some idea of the national character. In the divers public establishments of Copenhagen which our traveller visited in haste, very marked attention was shown him, and he could not but perceive that fame had already sounded his exploits on the shores of the Baltic.

On his return to England he made arrangements for a new expedition far more arduous than any former one, and which would have given a brighter lustre to his name had it been crowned with success. England laudably persevering in her efforts to open to commerce the route of the interior of Africa, had already lost more than ten travellers, who had devoted themselves with a sort of heroism to an enterprize so important to humanity, so useful to commerce, and so interesting to geography.

The melancholy results of the African expeditions had neither disheartened the government, the companies of merchants, nor the travellers; the last presented themselves in quick succession, and almost without interruption; and the progress which Messrs. Denham and Clapperton have now made in the heart of Africa, inspires the hope that both England and Europe will at length reap the fruit of so many efforts, and such great sacrifices. In 1822, Belzoni offered himself, or was invited, to make one of those dangerous attempts, the object of which is to establish a communication between the civilized world and those vast barbarous nations who remain insulated from the other inhabitants of the globe by immense deserts of sand and a murderous climate. It appeared that there could not be a more suitable person to execute this task

than Belzoni. He was robust, active, and enterprising, and endowed with an exterior calculated to extort the respect of the barbarians; he had already displayed more than usual sagacity in exploring Egypt, and he was, moreover, already inured to the climate of Africa. What was wanting to insure his success but a knowledge somewhat more profound, and particularly an acquaintance with Oriental languages? As, above all, he would have to contend against the fatal effects of the climate, it was hoped that the physical advantages which Belzoni possessed would save him from the perils under which his predecessors had sunk.

Belzoni sketched a plan more vast than that of any traveller who had preceded him. He designed to penetrate by the north of Africa to Timbuctoo, which no European traveller had yet succeeded in reaching. Arrived at this point, so long sought for, he was to direct his course towards Sennaar, enter the upper regions of Nubia, and descend by Egypt, the theatre of his first exploits.

The English Government, or some commercial company, engaged most likely to defray the expenses of this journey, which Belzoni could not have undertaken with his own resources, although the sale of his work, and the exhibition of his antiquities, had much improved his pecuniary situation.

Towards the end of 1822, he arrived by sea at Gibraltar, and immediately embarked for Tangiers. The Emperor of Morocco, apprised before-hand, no doubt, of his visit, invited him to come to Fez, the place of that prince's residence. Belzoni, on whom the turban sat very well, and whose figure commanded respect, was well received by the Emperor, and still more cordially by the first Minister, Sidi Benzouzoul. A caravan was about to set off in a few weeks for Timbuctoo, and Belzoni obtained permission to join it. He must then have thought himself at the summit of his wishes; but unfortunately there arose on this occasion adverse circumstances, of the same nature as those which had induced him to quit Egypt. I am not acquainted with the particulars of the affair; but in his correspondence with England, he describes himself as the victim of intrigues of certain agents, who abused the authority they were invested with to vent their anger on a defenceless stranger, who regarded it as beneath his dignity to crouch to them. The sojourn at Fez seems to have cost him very dear: he lost five months time, and a thousand pounds sterling in negotiating, in soliciting, in persuading, and in bribing the Emperor and his Minister; all without effect, for at the expiration of that time he was obliged to return to Gibraltar.

This disappointment rendered it necessary for him to change the plan of his route; instead of penetrating into the interior of Africa by the north, he resolved to disembark on the coast of Guinea, and to find his way thence to Timbuctoo, and to the sources, yet unknown, of the Niger. The climate of the coast of Guinea presented, in truth, more dangers and obstacles than that of the north,



but this consideration did not weigh with our traveller, who had proceeded too far to be either able or willing to recede. He sailed for Madeira and the Canaries, and thence got conveyed to Cape Coast Castle, an English settlement, at which he could make his preparations for his hazardous journey. In October 1823, he set out for the mouth of the river Benin, and an English merchant, Mr. Houtson, accompanied him to Bobœ, and thence to the town of Benin, whence Houtson presented him to the King, as an African of the interior, who having been brought up in England was desirous of returning by the way of Haoussa to the bosom of his family. The King, perhaps, did not give a great deal of credit to this story, although Belzoni was in the costume of a Moor, and wore a long beard; yet he promised a guide, and a guard of men to accompany our traveller as far as the city of Haoussa, at the distance of twenty-five days journey from Benin, and engaged to guarantee his safety as far as that town; the guide was to leave Belzoni to continue on his journey to Timbuctoo, while he himself was to return to bring the intelligence of his arrival at Haoussa, to the factory of the English merchant, in consideration of a valuable present to the King.

Since Mungo Park had taught the world that there existed in Africa a town containing 800,000 souls, called Haoussa, which had remained unknown to the whole globe, although it rivalled London, or Paris at least, in the extent of its population, Europe, surprised by the singular discovery, has anxiously looked for more positive information, which might confirm or contradict the assertion of Mungo Park. How glorious for Belzoni, could he have been able to have cleared up this point, and still more had he been able to reach that other town so celebrated, Timbuctoo, to which so many caravans continually take their route, and regarding which so many rumours have been spread, probably not less exaggerated than those which concern Haoussa. But at Bobœ, the influence of the climate had already begun to act on the constitution, otherwise so strong, of Belzoni, and had infected it with the germ of a mortal malady. At Benin, the evil made such rapid progress, that he begged his fellow-traveller to have him removed to Gato, that he might be thence conveyed on board one of the English vessels stationed off Bobœ, hoping to derive benefit from the air of the sea.

Before his departure from Benin, perceiving that his situation was already critical, he made his final dispositions, and wrote a letter, although a hardly legible one, to the mercantile house of Briggs and Co. in London, who, since his journies in Egypt, had kept up a connection with him. The dysentery had reduced him to such a state of weakness, that he was not able to write to his wife in England: but he desired that the amethyst ring which he wore might be carefully preserved for her, and that she might be assured of his unalterable attachment. He arrived in an exhausted state at Gato, where he fell into a state of delirium, and expired on the following day, 3d of December 1823.

His companion, Mr. Houtson; rendered him the last offices on the morrow, by interring his remains under a great plane tree on the shore, to the fire of the musquetry of the crews, and of the cannon of the vessels. An inscription in English was placed on the tomb to apprise travellers, who might afterwards visit those regions, of the place in which death had arrested the daring course of so great a traveller.

This loss was sensibly felt in England, where Belzoni had a great many friends. A subscription was opened for his widow, to whom he had left scarcely any thing but the glory of his name; and a new exhibition of the antiquities brought by him from Egypt was made in London for her benefit; but it seems that the enthusiasm of the people had passed; at least the papers tax the nation with indifference for the fate of the widow of a man who had served England with so much zeal, if not with uniform success.

DIRGE FOR THE LAST INCA.

*(Supposed to be sung by a Peruvian Bard at the Tomb of Atahualpa.)*

GODS of Peru!  
 Say, can ye view,  
 Unmoved, the grave our tears bedew?  
 To it in vain,  
 On mount and plain,  
 We pour the blood and pile the fane.  
 Tradition sings,  
 That from you springs  
 The royal line of Sun-born Kings;\*  
 Yet here we pine—  
 To dust consign  
 The last of that immortal line!  
 Had he but died  
 In plumed pride,  
 A warrior's death, his ranks beside,  
 Less wild might flow  
 The streams of woe  
 O'er one so laid in glory low.  
 But thus to fall  
 Bereft of all  
 That strews with flowers the princely pall—  
 In felon's band,†  
 By pirate's hand,  
 A traitor in his fathers' land;—  
 'Tis *this* that gives  
 The pang, which rives  
 Our hearts, and with their pulse survives:  
 For *this*, around  
 Yon funeral mound,  
 Our hot tears scorch the mournful ground!

\* The descendants of the Peruvian royal line were termed *Children of the Sun*.  
 † Atahualpa was strangled at the stake.

*Dirge for the last Inca.*

An empire's tears  
 Flowed round the biers  
 Of his fallen Sires in olden years,—  
 But *then* they came  
 Undimm'd by shame,  
 And bright with past and future fame!

Shade of the dead,  
 O'er thy low bed  
 An orphan people's hearts have bled:—  
 They live to moan  
 Round yon pale stone,  
 O'er the last Inca's\* buried throne!

Calm be thy rest  
 Among the blest!  
 By kindred hands thy couch be drest!  
 Eternal flowers  
 Perfume the bowers  
 That shade thy soft and golden hours!

I see the gloom  
 Pass from thy tomb—  
 I hail thy bright† immortal doom!  
 What sacred fires  
 Shall warm thy Sires,  
 When deathless air their child resumes!

In some green glade,  
 Famed Manco's‡ shade  
 For thee a wreath divine shall braid;  
 His bards shall sing,  
 In shadowy ring,  
 A welcome to the Stranger-King! . . . .

Alas, in vain,  
 My heart—my strain—  
 Would veil in hope the face of pain;—  
 I think alone  
 Of glories gone,  
 An empire's wreck—a stranger's throne!

In sighs, the lay  
 Expires away—  
 Peru has closed her splendid day!—  
 What thoughts rebel,  
 I may not tell . . . .  
 Dust of my King, a deep farewell!

*Crediton.*

J.

\* He had two nominal successors, but they never *reigned*: the first was a *shadow*, and the second a *name*.

† The Peruvians, like all other nations, had some expectations of a future state.

‡ Manco Capac—the Romulus of Peru,—the founder of the empire, and the father of its kings.

## TOUR OF THE GOVERNOR-GENERAL OF INDIA.

*Extracts from the Journal of a Traveller in the Upper Provinces of India in 1827, sent for publication in the Oriental Herald.*

We arrived at Agra just in time to witness the entry of the Governor-General and suite, on the 8th of January 1827, with 10,000 followers, and 180 elephants, &c. &c. The cavalcade had a most imposing appearance.

On the morning of the 9th, his Lordship held a levee at the house of Mr. Saunders, which was attended by all the European residents, civil and military; and on the same evening, Lady Amherst held a drawing-room, at which the ladies and gentlemen of the station were respectively presented; on this occasion her Ladyship appeared in black, with a profusion of diamonds, and looked extremely well. The state of the Governor-General is quite regal; but his manners and affability remind one more of those of a President of the United States than those of an Eastern despot.

On the 11th, a durbar was held in the state tents, on a plain in the military cantonments, well adapted for such a purpose, when a deputation from Holkar, and several Malwah chiefs, were received by his Lordship, and each brought presents to the Governor-General, amongst which were a number of diamond and pearl necklaces arranged in trays.

On the 13th, an important deputation from Sindiah was received in the durbar tents, and appeared in great state. The Envoy on this occasion was Hindoo Row, the brother of Byza Bhye, the wife of Sindia, who, with Atmah Row, the Vakeel, had come in with 3000 followers from Gualior; and objects of great importance were supposed to be attached to this mission. The precarious state of Sindia's health, his having no immediate heirs, and the prospect of a disputed succession, in which it is supposed the Byza Bhye is taking active measures to secure her own undisputed sway, all tended to give the highest interest to the brother's mission to the Governor-General.

On the evening of the 15th, the two wives of Hindoo Row, and a Brahmin ambassadress from the Byza Bhye, were received in state by Lady Amherst; but for this visit, negotiations and arrangements were to be made. Since the time of Warren Hastings, no Governor-General's wife has received visits of this kind; and therefore Lady Amherst had no precedent to follow, for even Mrs. Hastings had never gone the length of receiving an ambassadress. And the Marchioness of Hastings, when in India, never admitted of visits from Native ladies while the Marquis was Governor-General.

These were important difficulties for Lady Amherst to get over ; but besides these, it was stipulated by the wife of Hindoo Row, that no man should be within sight or hearing, so that another difficulty arose as to carrying on conversation, for the Native ladies knew no more of English than her Ladyship did of Hindoostanee. However, an ayah (or female servant) of a lady at Agra, who had been a voyage to sea in an English ship, and had there acquired a little smattering of our tongue, was found, and this woman was appointed to act as an interpreter. Accordingly, on the evening of the 15th, a number of ladies were invited by Lady Amherst to attend on her in full dress, at Mrs. Saunders's house, where the interview took place. The Hindoo ladies were at first timid and alarmed, but they very soon felt at their ease, and conversed with her Ladyship through the ayah interpretress. The interview lasted two hours ; when, before taking leave, each of the Native ladies was presented with pawn and spices ; and then they proceeded to invest Lady Amherst and her family with the presents sent for them by the Byza Bhye. Her Ladyship was first divested of the head-dress she wore, and a turban was put on, richly adorned with the most costly diamonds, a superb diamond necklace, ear-rings, anklets, bracelets, and armlets of the same, valued at three lacs of rupees (or 30,000*l.* sterling). A complete set of gold ornaments, and another of silver, was then presented. Miss Amherst was next invested with a pearl necklace, valued at half a lac of rupees (5,000*l.* sterling), and other ornaments of equal beauty and costliness. Mrs. Saunders had a fine pearl necklace, and Miss Payne had also presents of value. The presents given on this occasion were valued at five lacs of rupees (or 50,000*l.* sterling). After this investiture the Native ladies took their leave.

On the evening of the 16th, Lord Amherst and suite paid a visit of ceremony to Hindoo Row ; on which occasion his Lordship invited all the civil servants, and all commandants of corps, to accompany him. He was met by the Row at some distance from his tents, and was accompanied by Lady Amherst and family, who took this occasion to return the visit of the Hindoo ladies. His Lordship and suite, after they were received in Hindoo Row's tents, were treated with pawn and spices. His Lordship's hat was then taken out, and brought back, covered up on a tray with the presents, when the Row uncovered it, and placed it on his Lordship's head, ornamented with the most splendid diamonds. His Lordship was then invested with jewels of great value, to the amount, it is said, of two lacs of rupees, (20,000*l.*) ; and presents followed to each member of his suite. Lady Amherst, and the ladies of her family, took this opportunity of retiring to the tents of the Hindoo ladies, where presents were again given, and a bag of 1000 rupees given to her Ladyship's ayahs, (or female servants,) and 500 rupees to the interpretress ayah.

On the 17th, his Lordship received the farewell visits of Hindoo Row and of the other chiefs; and on the 18th, in the evening, he proceeded on towards Futtypore Sikri, where he receives the Rana of Gohud, and expects to meet Sir Charles Metcalfe; and from thence he proceeds to Bhurtpore, where a most magnificent entertainment is preparing for his reception; and a deputation is also expected from Jeypore, under Captain Lord.

I must confess I could not have supposed that even the Governor-General of India would have moved about in the state observed by Lord Amherst: the expense must be enormous; and if presents are made by the neighbouring states similar to those given at Agra by the deputations that were received there, the burthens to them must be a serious evil.

The subject of presents, and more particularly to the wife and family of a Governor-General, is one that merits the especial attention of the Legislature in Europe. It is said that these are not permitted to be taken, or if taken, that they are brought to the public account. Now, with respect to the presents given at Agra on the occasion mentioned, I know that some jewels which were presented were left in possession of individuals; and one pearl necklace, which was sent to Mr. Stirling to be lodged in the Company's treasury, was returned to the lady who sent it. Perhaps the gallant Secretary paid its value, and took this occasion to make a splendid present himself. It is to be hoped, at all events, that Government was no loser by the transaction.

I understand that Sir Charles Metcalfe has, much to his honour, done away entirely with the practice of receiving presents, in his intercourse with the Native States, and found no difficulty in conducting his great and important duties without such aids. The Governor-General would consult his own dignity by imitating so disinterested an example; not that it can be supposed that his Lordship or his family would countenance the retaining of such valuable presents as these; but the appearance of the thing is certainly better dispensed with, if that can be done; and there is no doubt, but that while it continues, it is a source of peculation and plunder to the underlings of office who have the immediate charge of these valuables, often to a great amount. And when presents to the amount of 50,000*l.* sterling are made, even to ladies of the most exalted rank, the world will be very apt to be suspicious as to their eventual disposal.

## NEGRO SLAVERY.

*State of the Question between the British Government and the Planters of the West Indies.*

It is a proud thing for England that she was the first among the nations that stood up boldly, singly, and firmly to abolish that most odious and abominable traffic,—the purchase and sale of human beings. When the earliest advocates of the helpless negro in this country first commenced their labours to free him from his cruel condition, the wishes of all good men accompanied their efforts, and they were hailed as true philanthropists, as the generous champions of the oppressed and unhappy slave. Their first object was to abolish the *Slave-Trade*; their next, *Slavery* itself: for, as it was emphatically observed by that excellent man, Granville Sharp, at one of the meetings of the Abolition Committee, 'As slavery was as much a crime against the Divine laws as the slave-trade, it became the duty of the Committee to exert themselves equally against the countenance of them both; and he did not hesitate to pronounce all present guilty before God for shutting those who were then slaves, all the world over, out of the pale of their approaching labours.'

This was the opinion of every member of that Committee; but having a host of narrow-minded and bigotted opponents to contend with, they thought it better to wave this latter object until they had gained the more important and pressing one,—the abolition of the traffic. This, after years of protracted discussion, they *did* gain, and it was hoped by all the friends of humanity and justice that the planters of the West Indies being, as they thought, now deprived of fresh importations, would turn their attention to the amelioration of the condition of the slaves already existing. But grievously were they disappointed; and little, indeed, did they know of those pampered sons of Mammon, if they thought they would give up, for humanity's sake, a single iota of their despotic and unjust power. The planters cited the *law*, and said, 'You cannot compel us to emancipate our slaves. All you can do, is to prevent us from selling to, or buying from, *Englishmen*. You have no power over the slaves which we now possess, and we will do as we have done in spite of you all. We *will* be tyrants still!' Thus, then, the case stands; and although the *trade* was abolished, the *slavery* still continues.

To remedy this crying evil, to prevent our unfortunate fellow-creatures from being treated as brutes, to enlighten them by education, and to liberate them from the manifold miseries to which they were subjected, the 'Society for the Mitigation and Gradual Abolition of Slavery throughout the British Dominions' was formed in the year 1823. 'It was not to be wondered at,' observes an able but anonymous writer, 'yet it was gratifying to observe, that its

founders and chief supporters were the same philanthropists who had grown grey in the former struggle, and who were still spared to us to direct and enlighten us by their experienced wisdom.' Wilberforce, Clarkson, Allen, Smith, and many others, the tried friends of the cause, are to be found in the names of the Committee. This Society has been indefatigably employed in directing the attention of the public, in various ways, to the wrongs and miseries of the negro race: they have circulated a vast number of publications on the subject; they have brought the subject repeatedly before Parliament; and, above all, they have excited the indignation and ribaldry of the people who write in 'John Bull,' and 'Blackwood.' This we take to be the strongest proof of the justice of their cause, and the purity and uprightness of their intentions; for the weapons which they make use of in this distressing, yet glorious, warfare, are truth and reason,—weapons before which all panders to unjust power must eventually flee discomfited.

But, although the exertions of this generous Committee were unremitting, the result was far from being proportionate. Still something was effected. Such of our readers as have felt interested in this important subject, cannot fail to remember the debate which ensued on Mr. Buxton's motion, on the 15th May, 1823. Mr. Buxton then stated, that the object which he and his friends wished to attain, was 'the extinction of slavery throughout the whole of the British dominions; not, however, by the rapid termination of that state, not the sudden emancipation of the negro, but by such preparatory measures, as, in a course of years, should, by fitting and qualifying the slave for the proper enjoyment of freedom, gradually conduct us to the annihilation of slavery.'

To effect this blessed consummation, Mr. Buxton adduced two propositions: First, 'That all children of slaves, born after a certain period, to be then settled, should be free;' and, secondly, 'that the condition of the slaves already existing should be immediately ameliorated, by the institution of various salutary and efficient regulations.' With regard to the first, the Government, influenced, doubtless, by the importunities of the planters, refused to sanction such a measure; and as to the second, it resolved on the most cautious mode of proceeding. Mr. Canning, its organ, as Foreign Secretary, admitted that many of Mr. Buxton's suggestions were just and necessary, but too bold and straightforward; he, therefore, moved a series of resolutions, more calmly and more guardedly expressed:

'1. That it is expedient to adopt effectual and decisive measures for ameliorating the condition of the slave population in his Majesty's colonies.

'2. That, through a determined and persevering, *but*, at the same time, judicious and temperate enforcement of such measures, this House looks forward to a progressive improvement in the character of the slave population, such as may prepare them for a



participation in those civil rights and privileges which are enjoyed by other classes of his Majesty's subjects.

'3. That this House is anxious for the accomplishment of this purpose, at the earliest period which shall be compatible with the well-being of the slaves themselves, with the safety of the colonies, and with a fair and equitable consideration of the interests of private property.'

The honourable Secretary, anticipating the unfavourable reception even of these temperate resolutions by the planters, and contemplating some resistance on their part, stated, 'I must add, that any resistance which may be manifested to the expressed and declared wishes of Parliament,—any resistance, I mean, which may partake, not of reason, but of contumacy,—will create a case (a case, however, which I sincerely trust will never occur) upon which his Majesty's Government would not hesitate to come down to Parliament for counsel.'

This debate, (of which a very accurate account is given in 'Hansard's Parliamentary Debates,' vol. ix.), not only elucidated most fully the views of the Abolition Committee, but the feelings of the Government; and none doubted but that these feelings were sincere, or that the Government intended to act up to the pledge which it had given the country, and act, too, with manliness, promptitude, and decision. Has this been done? Has the Government fulfilled its promise on this most important question, to the full and perfect extent which the people had a right to expect? We think not; but we shall see.

As the result of this discussion of the slave question, an Order in Council was framed, for the purpose of being transmitted to the different colonies; and this order comprised the several measures which were proposed for ameliorating the condition of the slave. Means were to be taken for securing the observance of the Sabbath; the use, or rather the *abuse*, of the cart-whip was to be discontinued; the flogging of women—a practice which none but a brute could exercise—was to be abolished; the punishment of males, by their masters or drivers, was to be properly regulated; marriage was to be encouraged, by considering such contract valid and honourable; the *sale of slaves* was to be regulated—for this was still allowed, to allay, perhaps, the violence of the planters; the property of the slaves was to be protected, and their right of making bequests secured; their evidence was to be admitted in courts of law, and every facility offered to manumission.

Such was really the actual result of the good intentions of the Government; and the island of Trinidad was the first colony destined for the execution of measures which humanity and justice so loudly called for. Why this comparatively small spot was selected for the experiment, we know not, unless there was something like fear on the part of the Government, lest it should startle and exas-

perate the West Indian planters ; for such was positively the fact, as we shall see. No sooner had the order reached its destination, then its promulgation excited their anger to a degree which even the Government could not have anticipated. The framing and transmission of this official order was considered a great presumption on the part of his Majesty's Ministers. The slave-owners seemed to regard the discussion of this subject as the very height of impertinence in the British Parliament, which could not be supposed to know any thing about the matter ; and they, in their infinite wisdom and mercy, could not conceive what could induce any person to attempt to rescue others of their species from the misery, the degradation, and the sufferings of slavery. This was the feeling throughout the whole of the West Indian Colonies ; for the measures which excited it were calculated to interfere most materially with the power of the planters. Those of the island of Trinidad made very strenuous opposition to the enforcement of the order in Council, as pregnant with inevitable ruin to their interests : ' We have read (thus they remonstrate) with grief and dismay the order in Council, declared to be intended for the improvement of the condition of the slaves in the colonies ; and we earnestly implore the Governor to stay the promulgation and execution of the order.' The Governor's instructions, however, admitted of no hesitation ; and, in June 1824, the order was made public, and became the law of the island.

The promulgation of this order brought forth from the affrighted planters a true confession of *their* benevolent estimation of the poor slaves. ' The order in Council ' (say they) ' has made an entire revolution in the system under which slaves were heretofore governed and managed. *Changes are always to be deprecated*, especially in a slave colony, where the whole of the slave population are *deprived of their natural rights* ; and nothing but the force of habit, and a brutish indistinct idea of the superiority and fixed power of their masters, keep them in awe and subjection.' Here is a fine confession, truly ! So the change from darkness to light—from the lowest depths of abject misery to a participation in the common good and evil of human life—is to be deprecated, because it shakes the brutal power of the slave master, and adds a feeble ray of comfort to the condition of the slave ! But this is not all : They exclaim loudly and vehemently against the disuse of the whip ; *because*, say they—*because*—(we blush almost while we write the words)—*its use is identified with the existence of slavery* !

The planters of the other colonies are, if possible, still worse. In Barbadoes, where the slave-code is one of the most barbarous, in Demerara, in Jamaica, in fact, every where, the same hostility to the amendment of the slave's condition exists, and ever will exist, while such amendment is left to the selfish consideration of those whose interest it is to ' grind to the very dust of misery ' the unfortunate wretches whom fate has enslaved to them. In short, nothing can be expected from the Colonial Legislature. We must

look to the British Parliament for interference ; and now that we may expect a more liberal and energetic Colonial Secretary than the late inefficient nobleman who so unfitly filled that office, we may hope that our dark-coloured fellow-creatures will come in for at least a portion of that protection which is afforded to the poorest of our species *here*. Let us bear in mind that negroes are men ; many of them even intelligent and clever men ; that a keen conviction of their rights is spreading gradually, but surely, among them. Let us look to Hayti, and reflect upon the necessity of a speedy change in that system of cruelty and excessive bondage before it be too late to stem the torrent of anarchy and insurrection. Let it not be said in after ages, that England, of whom it is the boast to be considered the advocate of freedom all over the world, the glory of nations, the brave, the generous, and the free, has driven the colonies, which were won with the blood of her people, to open and powerful rebellion. Above all, let it not be said, that she refused to finish and perfect the good and noble work which she has begun. She has abolished the slave-trade ; let her now abolish slavery, at least in those regions which are subject to her laws, and governed by her people. This will add another wreath to the laurels of her fame ; and, in the opinion of all good men, conduce more to her glory than if she had gained a hundred bloody contests.

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THE MEETING OF KINDRED SPIRITS.

We part no more ! the troubled stream  
Of life at length 's securely pass'd,  
With joy we watch'd thy closing scene,  
And wish'd each ling'ring pulse the last ;  
Then flew to meet thee on this shore,  
And welcome with—we part no more !

We part no more ! exulting thought ;  
How welcome this enchanting hour !  
For this with frequent ease we 've sought,  
For this long deck'd our loveliest bower.  
Come, wreath our roses, thither soar,  
Remember, we shall part no more !

We part no more ! alas, how frail  
That earthly pledge we fondly gave,  
'Twas scarcely spoken, ere the wail  
Funereal rose above the grave ;  
Such pangs again we ne'er deplore,  
For here, indeed, we part no more !

We part no more ! thy censor bring  
And charge with sweets this vale supplies,  
Then spread thy new unpractised wing,  
And let us cleave the azure skies,  
To where yon Seraph band adore  
The Power that says—we part no more !

*Graham's Town, South Africa,*

EVITAS.

### ERUPTION OF A VOLCANO IN THE INTERIOR OF SUMATRA.\*

UNTIL within a very few years, the interior of the great island of Sumatra has remained almost entirely unknown to Europeans, although they have traded for three centuries on its coasts; that part of the country, in particular, which is on many accounts the most interesting, has been till lately covered, as it were, with a veil of the deepest obscurity; namely, the centre of the island, once the chief seat of the great Malay empire of Menangkabau, the authority of which was anciently recognized over the whole of Sumatra, and even in many of the adjacent countries.

This region was never visited by Europeans until the year 1818, when Sir Stamford Raffles, at that time the chief British authority on Sumatra, accompanied by Lady Raffles and a large suite, first crossed the lofty mountains that had till then formed an insurmountable barrier to European research in that quarter, and penetrated into the Manangkabau country; thus effecting an undertaking before considered impracticable.†

But for circumstances which it is needless to mention here, the writer of this would have made one of the first party of Europeans that entered the country in question, which had long been to him an object of curiosity. It fell, however, to his lot, three years afterwards, to contribute to the establishment of European influence there; in the performance of which duty he made some stay in a region, the physical and political condition of which had till then been only the subject of conjecture.

Among the interesting observations which the writer had thus the opportunity of making was, the eruption of a great volcanic mountain, named by the natives (*par excellence*) *Gunung Ber Api*, or the Fiery Mountain, which took place while he was a few miles from its base, near Pagar Uyong, once a city of importance, and the capital of Menangkabau.

This mountain is situated in the formerly rich and populous province of Tana Datar, or the *level country*, which, in the year 1821, was annexed to the Netherland possessions on Sumatra. It does not form part of a continued chain, but stands alone in lofty grandeur, its base only being connected with another high mountain; its summit, which may be seen from sea at a great distance, is estimated to be upwards of twelve thousand feet above the level of the

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\* From the 'Bengal Chronicle' of January 7, 1827.

† A very interesting journal of this tour, from the able pen of Sir Stamford Raffles himself, may be found in the third number of the 'Investigator,' published in January 1821. It contains the only correct description of the country that has hitherto appeared in print.

sea : a thick forest covers nearly the whole of the mountain, except towards the base, where it gradually shelves off towards the plain, in gentle slopes, which, having been cleared of wood, are covered with cultivation and the dwellings of the natives. It forms, altogether, a most grand and beautiful picture, combining at one view the sublime and solitary magnificence of nature, with the humbler yet pleasing appearances of human habitation and industry.

The volcano has now but one crater, which is situated at its western extremity, very near the summit ; this is said constantly to emit smoke, although it is not always perceptible, the top being frequently enveloped in clouds. Subterranean noises are often heard to proceed from it, but an eruption rarely happens.

That witnessed by the writer took place on the 23d July, 1822, soon after six o'clock in the morning, when the column of smoke, which for some days previous had been larger than usual, was suddenly observed to increase considerably ; the sky at this time was remarkably bright and unclouded, affording a clear uninterrupted view of the whole outline of summit ; the smoke, which is generally white or of a light colour, now became darker in hue, as it increased its volumes, mixed with ashes, and spread itself in large masses on all sides, until the entire upper half of the mountain, and the sky above it to a great height, were covered with immense rolling clouds of smoke and ashes, of a very dark grey colour ; these partially concealed the flames, which, however, could be distinctly seen through them at intervals, in appearance something like vivid and continued flashes of lightning, but of a dark red colour. Showers of stones, some of them of great size, were at the same time thrown up to an immense height in the air, and fell down the sides of the mountain. During this first stage of the eruption, the volcano never ceased to emit a sound resembling that of heavy artillery, or rather of a tremendous thunder-storm at some distance : the combined effect of the whole was grand and awful, and presented a striking contrast with the peaceful beauty of the surrounding country, partly glowing with all the splendour of a tropical sunrise, which was gradually dispersing the fleecy clouds of vapour that still hung their snowy veil over the lower valley.

All these symptoms lasted with unabated violence for about a quarter of an hour, when the projection of stones, and the subterranean sound began to decrease, and continued to subside very gradually, during the next two hours. At about half past eight they ceased entirely ; but the thick dark smoke and clouds of ashes continued to be emitted during the whole day, and part of the following night ; while, at times, the red gleams of fire were again discernible, particularly after dark.

During the subsequent days, the column of smoke was larger and darker in colour than usual ; and at night glimpses of the flame were often observed, for a moment, rising above the crater. It was

nearly a week before these symptoms entirely subsided, and the column of smoke again presented its usual appearance.

The weather had been remarkably dry for some time previous to the eruption, though a little rain had fallen two nights before it occurred; the days had been exceedingly hot, and the nights very cold; the thermometer, in the shade, had generally risen about twenty degrees between sunrise and noon; ranging, at six in the morning, from 65 to 68 degrees, and at twelve o'clock, from 85 to 87 degrees; just before the eruption, however, it had reached 71 degrees, which was unusual at that hour.

This eruption caused no such dreadful calamities as those which occasionally follow similar ones on the neighbouring island of Java, where large villages, extensive plantations, and thousands of human beings, have sometimes been destroyed by these convulsions of nature. It is true that the population, generally speaking, is not so dense on Sumatra; but the spot in question forms an exception, the declivities and base of the mountain being thickly studded with villages, and covered with fields of rice, coffee, &c.; the crops on some of these were destroyed or injured by the showers of pumice-stone and volcanic ashes, or rather dust, which fell on the ground in immense quantities, and were carried by the wind to a great distance; this dust was nearly impalpable, of a whitish grey or dun colour, with a sulphureous smell.

A short time after the eruption, sickness became very prevalent among the troops stationed in the country, and also, but in a less degree, with the natives, which by some was considered as a consequence of that event, in the supposition that the atmosphere had become impregnated with the sulphureous dust and vapours.

A few days before the eruption, a detachment of Netherlands troops had posted themselves on a hill near the volcano, where they were occupied in erecting temporary barracks, &c., when it took place; they retreated, on the alarm being given, to a short distance; but as no injury was done to their buildings, they soon returned.

In clear weather, after the eruption, a distinct change was visible in the external formation of the peak in which the crater is situated; this might be accounted for by the accumulation of stones and lava, or the partial falling in of the earth, or by the burning of the woods; perhaps all these causes were combined.

The writer of this was desirous of making an attempt to ascend to the crater, in order to observe the effects of the eruption more nearly and in detail; but the natives, whose assistance was indispensable, were very averse to join in the undertaking, which, whether from superstitious motives, or their characteristic apathy, they declare to be impracticable: this difficulty might perhaps have

been surmounted, had it been the only one; but, unfortunately, it was combined with the disturbed state of the country, owing to the civil war then raging, a press of official and private occupations, and a very bad state of health, which altogether deprived the writer of the means of satisfying his curiosity.

According to the accounts of the natives, there had been no eruption for fifteen years preceding, when a similar one occurred, about the commencement of the revolution in Menangkabau, caused by the Pedries. Of that event, and the subsequent wars and calamities, the preceding eruption was, agreeably to Indian superstition, considered an omen; while that here described was looked upon by many as a token of the approaching cessation of those ravages which for years had desolated a most beautiful and fertile country.

About two months after the eruption an earthquake took place, the most violent witnessed by the writer during his stay in the East: it was much more severe, and of longer duration, in the Menangkabau country than in the maritime districts, and particularly so in that tract of land lying near the Gunung Ber Api, and between that and the Gunung Tallang, another volcanic mountain at some distance, in the province of Tiga Blas. It is this circumstance that induces the mention of the earthquake here, as it may possibly furnish an illustration of the connection supposed by some to exist between these phenomena. In the tract alluded to, the shocks were sensibly felt, at intervals of an hour to an hour and a half, during nearly a whole day and a night, accompanied by a strange deep subterranean sound, which seemed to proceed from the two volcanoes alternately; no eruption, however, took place on this occasion from either of them. It must be remarked that the Tallang only emits smoke at times, and that no eruption has occurred from it for a considerable period. In the neighbourhood of the sea only three severe shocks, and some slighter ones, were experienced, which caused no injury; while, in the interior, some of the stockades and temporary fortifications thrown up by the troops were considerably damaged, the rivers were swollen to a great height, large trees were thrown down, the earth opened in several places, and in one spot an isolated native dwelling, with its surrounding patch of garden, was entirely swallowed up.

The Ber Api furnishes pure sulphur in abundance, of which the natives avail themselves in the manufacture of their gunpowder. Several rivers and streams have their sources in this mountain, and mineral springs, supposed to proceed from it, are found in many parts of the neighbourhood; the most remarkable of these are found at Pirangan, situated between Pagar Uyong and the Ber Api, but nearer to the latter. Two of these springs\* are hot, and the water

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\* They are mentioned in Marsden's History of Sumatra.

has a strong smell of sulphur, with an unpleasant sickly taste. Unfortunately the writer had no means of analyzing their contents, but they appeared to be strongly impregnated with iron. The water issues, in a streaming state, from apertures in the rock, and falls into a rude kind of basin, which has been roughly hewn out of it: close to these runs a stream of very cold and clear water.

These springs are used by the natives as a remedy for various disorders, the water being sometimes taken internally, but more frequently applied as a bath; the effect of the warm springs, in this way, is very weakening to the patient, partly, perhaps, from his being carried to the spot down a rather steep declivity, at the bottom of which the springs are situated. The place derives from them the names of *Ayer Angus*, or Warm Water; *Panchuran Tuju*, or the Seven Conduits; and *Mandiyen Rajo*, or the King's Bath. The latter seems to confirm the general supposition, that, in times of remote antiquity this was the site of the capital, and that here was founded the empire of Menangkabau, which afterwards became so powerful, and is considered the parent stock of all the Malay nations and tribes dispersed over the Indian Archipelago.

INSCRIPTION ON THE TOMB OF GEORGE CHARLES CANNING,\* IN  
KENSINGTON CHURCH-YARD.

(Written by his Father, the late lamented Prime Minister of England.)

THOUGH short thy span, yet Heaven's unsearch'd decrees,  
Which made that shorten'd span one long disease,  
In chastening, merciful, gave ample scope  
For mild redeeming virtues,—Faith and Hope,  
Meek Resignation, pious Charity;  
And, since this world was not the world for thee,  
Far from thy path, removed with partial care,  
Strife, Glory, Gain, and Pleasure's flowery snare,  
Bade Earth's temptations pass thee harmless by,  
And fix'd on Heaven thine unaverted eye.

O! mark'd from birth, and nurtur'd for the skies!  
In youth, with more than Learning's wisdom wise,  
As sainted martyrs, patient to endure,  
Simple as unwean'd infancy, and pure;—  
Pure from all stain, save that of human clay,  
Which Christ's atoning blood hath wash'd away;  
By mortal sufferings now no more oppress'd,  
Mount, sinless spirit! to thy destined rest:  
While I—reversed our nature's kindlier doom—  
Pour forth a father's sorrows on thy tomb.

\* Who died at the age of nineteen.



# EGYPTIAN HIEROGLYPHICS.

THE question at issue between Dr. Young, on the part of England, and Mons. Champollion, on the part of France, as to the priority and extent of discovery made by each in the deciphering and reading the Egyptian hieroglyphics, has been already sufficiently agitated. But the greater question, as to how much has really been done in this undertaking, whether by one or both parties, has not received the attention it deserved. Yet few subjects of antiquarian research, and especially belonging to countries of the East, can possess greater interest than this. The chief drawback to its study has hitherto been the difficulties under which it had to be pursued; but now that the path has been cleared of so many of its obstructions by the labour of others, much of the previous objection is removed.

In two recent numbers of 'Le Bulletin Universel,' is presented a summary of the result of Mons. Champollion's discoveries in this intricate yet interesting study; which, but for a pressure of other matter, we should have given in our preceding Number. It is still, however, new to most English readers; and knowing the interest that is felt, in India especially, on subjects connected with the remains of a country which may be said to form a connecting link between Western Europe and Eastern Asia, and which it is likely to become more and more the practice of Indians returning to their native country to visit in their route, we give a translation of Mons. Champollion's 'Aperçu' entire; and shall be gratified at finding the attention of our countrymen in the East thereby more earnestly directed toward the 'land of wonders,' of whose hitherto mysterious signs and symbols it treats. The French writer says:

Those persons who have taken the trouble to read the different works in which I have detailed the series of my discoveries in the graphic system of the ancient Egyptians, know the means, in every respect conforming to the strictest rules of philological criticism, which have led to the collection of some most important data, on subjects on which we scarcely dared to entertain a hope of ever receiving light. In this place, therefore, I shall content myself with acknowledging the encouragement I have received from all quarters; and I apply this term to the eagerness of several learned foreigners to associate themselves with the result of these researches, since this eagerness on the part of men in other respects sufficiently distinguished, cannot be other than an additional evidence in favour of the truth of the discoveries. The late King was moved by his known love of learning to honour me with his protection; and as soon as it appeared that the study of the original monuments could alone extend and complete the fundamental data, it was (I have

pleasure in taking this opportunity of stating it) in that enlightened love for the arts, and for the monuments of antiquity, which distinguishes the Duke de Blacas, and in that effectual support which he has ever afforded to the study of them, that I found invaluable resources, more especially in the Egyptian collection, which from that moment he began to form, for the sole purpose of furthering my researches. At this day, the royal munificence leaves scarcely any thing to be desired. By the care of the Duke de Doudeauville and of the Vicomte de Rochefoucault, worthy instruments of the generous intentions of the King, a magnificent Egyptian museum, and a chair of Egyptian archæology, are established at the Louvre. Literature, grateful for such benefits, will appreciate this new boon from our monarch; and by those important endowments, the ancient Egypt of the Pharaohs is become, as it were, an appendage to the crown of France.

Nothing remains, then, for the learned of France but to explore, and by their labours to reap their harvest from this vast and fertile field of history, committed to their care by royal solicitude, ever zealous to maintain the high rank and the just renown of France among lettered nations.

A rapid view of the principal results, the produce of only a few years of study, will be sufficient to convince all enlightened men how much this rich field promises, and is capable of producing. The entire system of the hieroglyphical alphabet is founded on the comparative analysis of the proper names of the *Greek* and *Roman* sovereigns inscribed upon the grand edifices of Egypt. It is natural, therefore, to commence the summary of the historical information scattered over the vast ruins which cover the banks of the Nile, by first selecting that which is preserved to us on monuments constructed by Egyptian hands, and in the strict rules of pure Egyptian art, although the soil which bore them was at the time under foreign domination,—that of the Greek kings or of the Roman emperors. Under the sceptre of the descendants of Ptolemy Lagus, as under the sword of the successors of Augustus, Egypt, deprived of political liberty, preserved all her religious institutions. The attachment of the people to their ancient national usages struggled with a victorious perseverance against the enterprises of an usurped power, which often displayed itself only in acts of violence and cruel exactions. Magnificent temples were built or decorated with rich sculptures during this long term of subjugation, and although these immense constructions were owing entirely to the devotion of the citizens, the name of the reigning sovereign was constantly inscribed on all the portions of these edifices, as the decorations were completed. The portrait even of the Greek king, or of the Roman emperor, under whose government a portion of the temple had been finished, was sculptured on it; this was conformable with the ancient usages of Egypt, which, in the days of

her liberty, had never ceased to consider the families of its princes as branches from a celestial scion, and had always confounded in one worship, its gods, and the king who had to represent them on earth.

Thus, in studying the bas-reliefs, and the colossal inscriptions, which cover the columns, the architraves, the friezes, the ceilings, the cornices, in fact, all the surfaces, whether interior or exterior, of an Egyptian temple, we read successively the royal legends of the sovereigns under whose reign the various architectural members were executed. Every one of the grand edifices of Egypt is then, in some sort, a book of history, which preserves the names and succession of the kings; and in all, the images of the princes are drawn with so much care and nicety, that we cannot doubt but that these sculptures present us with real portraits. This remark, however, we apply only to the bas-reliefs representing *Pharaohs*, that is to say, kings of Egyptian race; for the portraits without number which relate to foreign sovereigns, the Roman emperors, for instance, neither recal to us their individual physiognomy, nor their true costume. The Cæsars, as well as the Ptolemies, are all, without exception, clothed in Egyptian garb, and are adorned with the insignia, as well as with the titles, of the ancient kings of the country, and their names alone reveal a foreign origin. It seems also to have been the study of Egyptian arts to blind the eyes of the people to the subjugation of the country.

The most recent historical name, among all those which we have read, either on original monuments, or on faithful drawings brought to Europe by travellers, is that of the Emperor Commodus, inscribed on the small temple of Contra Latopolis. This edifice, of a very bad style, has all the signs of the decline of Egyptian art. The name of the unworthy son of Marcus Aurelius appears four times in the legends of a monument, which the love of system had carried back to an epoch so remote as to be beyond the limits of the historical æra. We allude to the famous zodiac of Esné, which has been considered as anterior by many ages to that of Denderah, the date of which was determined on grounds equally light. Thus, one of the first results from the application of our hieroglyphic alphabet, has been to establish, that the most modern imperial name is found precisely on the dedications of that Egyptian monument which was regarded as the most ancient.

The legends of the immediate predecessors of Commodus, Marcus Aurelius, and his colleague, Lucius Verus, adorn the cornice of one of the small temples which look on the isle of Philœ, on the frontier of ancient Ethiopia, an aspect remarkably picturesque, on account of the unlooked for mixture of prodigies of art with the productions of nature, on a soil scorched by the heats of the tropics. One of the propylæ of the island itself, which abounds in monuments, preserves the memory of the virtuous Antonine, whose re-

vered name adorns also the eastern propylon at Denderah. Other hieroglyphical inscriptions prove that under this Emperor repairs were made in certain portions of the palace of Medinet Abou, at Thebes; while in the middle of the desert, in the Oasis of El Khardjeh, the temples of Kasser-Zayyan, and of Dousch-el-Kala, were dedicated to the god Ammon, in the name of Antoninus Pius.

The sojourns in Egypt of the Emperor Hadrian, during the thirteenth year of his reign, must have been commemorated by numerous monuments; but if we except the town of Antinoë, entirely of Greco-Roman architecture, the edifices of which have been lately destroyed by barbarous speculators, Egypt preserves the memory of Hadrian only on some bas-reliefs of the temples of Denderah, and of the little temple of Esné; but Rome possesses an obelisk, that of Monte Pinco, the hieroglyphic inscriptions of which explain for what it was destined. It was raised in honour of the celebrated favourite Antinous, in the name of Hadrian and of the Empress Sabina, rendered unhappy by the favour in which this young Greek stood with the adopted son of Trajan.

To this last mentioned Emperor antiquity gave the surname of *Parietarius*, because his name was to be seen on all the monuments constructed or repaired during his reign. Egypt also bears witness to this innocent weakness in so excellent a prince; for his legend and his various titles are sculptured in hieroglyphic characters, on the bas-relief and architectural ornaments of a great number of edifices, among which we may cite the temples of Philoë, of Ombos, of Esné, and of Denderah.

No monument of Egyptian style, which has come to my knowledge, has the name of Nerva; but those of the two Emperors of the Flavian family, especially that of Domitian, are repeated on the edifices of Philoë, Syene, Esné, and Denderah, and in the inscriptions on the obelisks which adorn the Piazza Navona at Rome. Two other obelisks, erected in honour of Domitian, existed formerly in the town of Beneventum: the only one which is at this day standing is formed of fragments; but during my stay in that town, I succeeded in finding some other large blocks, from which, in connection with those which form the obelisk at present standing, I have been able to make restorations nearly entire of the two ancient obelisks. These monuments, as the hieroglyphic legends attest, were executed in Egypt by the orders of the Roman Prefect, Lucius Rufus Beneventinus, for the purpose of being placed before a temple dedicated to the goddess Isis, in the town of Beneventum; for the preservation of the Emperor Domitian, *the friend of the human race, the mundane god, and whose name is all gracious*, saith the original text. The titles of honour of Titus are much less pompous and more simple, for the very reason, perhaps, that he was more deserving; and it is at the extremity of the desert, in the Oasis of Dakhel, where his beneficence reached, that we must go to look

for a monument sacred to the memory of this model of Emperors. Perhaps also his name may be found at the end of the legends of Vespasian, his father, sculptured in the portico of the grand temple of Esné.

The short and troubled reigns of Vitellius, of Otho, and of Galba, have left but few traces on the monuments of Egypt, but a vast number of bas-reliefs of the temples of Philœ and Ashmounein prove that the decoration of them was finished under the reign of Nero; as were also very important parts of the great temple of Denderah, among which we shall particularly specify the little edifice constructed on the platform, an edifice become celebrated for the circular zodiac sculptured on the ceiling; but this zodiac contains the imperial legend of Nero, under whose reign it was executed, as were also the surrounding bas-reliefs. This zodiac, therefore, is not anterior to the 37th year of our æra; and that of Esné, which was supposed to be some hundred of years more ancient, is, on the contrary, a century and a half more recent,—Commodus, in whose name it is consecrated; not having assumed the imperial purple till the year 180 of Christ. We read also on the edifices of Esné, Denderah, and Philœ, the names and titles of the predecessors of Nero; Claudius, Caius, and Tiberius; but the most ancient parts of some of these temples, as well as many monuments in Nubia, bear the imperial legend of Augustus, who reduced Egypt under Roman dominion.

It follows from this summary view that under the empire of the Cæsars the Egyptian worship was publicly exercised, and that it retained all its exterior éclat, since edifices of such consequence as those of Esné, Denderah, Philœ, and Ombos, were decorated with these same bas-reliefs which are become at this day real historical repertoires. All these facts condemn in a positive manner another opinion hazarded on grounds too slight, which not long since would have assigned to all the Egyptian constructions adorned with hieroglyphic inscriptions, a date anterior to the conquest of the Persians. The hieroglyphic system of characters ever continued to be the monumental writing of the Egyptians to the time of their final conversion to Christianity. Contenting ourselves with giving in a decisive manner, by the interpretation of imperial dedications inscribed on these monuments, the precise epoch of their different parts, we shall leave to the able architects, Huyot and Gau, the task of showing in what degree Roman influence became fatal to Egyptian art, which, under a foreign yoke, gradually lost its primitive purity and originality.

Already the domination of the Greeks, which preceded that of the Romans, had acted, and in the same direction, on the arts of Egypt. The examination of the buildings, and of the sculptures of this epoch, establishes incontrovertibly against the opinion of Winckelman and his school, that so far was Egyptian art from approaching

the conventional forms and the beau ideal conceived by the Greeks, that the contemplation of the *chefs d'œuvre* of Hellenic art, even admitting that they ever became objects of study and emulation to Egyptian artists, had no other effect than to remove the Egyptian sculpture from that simple imitation of local nature, which so eminently distinguishes all the productions of ancient style, except the architectural decorations. We may add, besides, that observing eyes, comparing Egyptian monuments of the Romans with those of the Greek epoch, discover a degree of decline much less marked in the latter than in the former; and the difference is most sensible on those monuments which are so far back as the age of the first Lagides.

The number and importance of the edifices founded or decorated under the descendants of Ptolemy Lagus, one of the generals who took a share of the empire of Alexander, display the dexterous and wise policy of these Greek kings, who, in order to establish their thrones and acquire popularity in a country so foreign to Greek manners as was Egypt, left entire liberty to the religious belief, to the public worship, and to the customs of a people whom the chances of war had placed under their dominion.

As well as the portraits of the Emperors, those of the Lagic Kings are to be recognised, intermingled with the figures of the gods, in the bas-reliefs which adorn several temples of Egypt: and history is more really interested in collecting the Egyptian inscriptions which bear the dates of the reigns of these Greek Kings, since the annals of this dynasty, uncertain in many points, have need of being confirmed by evidence the most decisive possible,—that of the public edifices. The discovery of the titles and names of the Cæsars on the temples of Egypt, although it has put an end to some weighty discussions, could not, in fact, be of such advantage to the study of history, as the useful application of the hieroglyphic alphabet to the dedications of the constructions anterior to the *senatus consultum* which united Egypt to the Roman empire.

One of the first fruits of this application has been to replace on the canon of the Egyptian kings the name of a young prince cruelly punished for the unfortunate lustre of his birth,—we mean the son of the Dictator, Julius Cæsar, and of the celebrated Cleopatra. This infant, the last shoot of the royal branch of Lagus, and who boasted for his father the first of the Emperors, bore the name of Ptolemy Cæsar, as if announcing to unfortunate Egypt her passage from the Greek to the Roman rule. A stele, in two languages, in the Museum of Turin, lately interpreted, confirms what the hieroglyphic inscriptions alone had already informed us, of the reign of Ptolemy Cæsar, under the tutelage of his mother, Cleopatra. These two names conjoined are to be read, in fact, among the ornaments of the grand temple of Denderah; and, as they appear in the most ancient of the dedications, it is not advancing too much to

attribute the foundation of this magnificent edifice, consecrated to the Goddess Athyr, the Egyptian Venus, to a queen so practised in disguising her able policy under the charm of the seductions and attractions of love.

The names of the Lagides, the contemporaries or associates of this Cleopatra, after her father, Ptolemy Dionysius, are rarely to be found on the great Egyptian edifices. The very short duration of the reigns of those princes, and the troubles inseparable from the instability of the throne, precluded, in fact, the undertaking great public works; but the legends of the two Ptolemies, surnamed Alexander, are to be read in the great temple of Ombos, and still more frequently on that of Edfou. On the latter we find, likewise, dedications inscribed in the name of a queen hitherto unknown to history, --the wife of Ptolemy Alexander I., Berenice, whose existence and rank are confirmed by two civil contracts now in the Turin Museum, dated in the 16th year of the reign of Ptolemy Alexander and of the Queen Berenice, (*Gods, Philometores.*) Two similar manuscripts, in the Royal Museum of Paris, attest the tutelage under which the early years of this prince were passed, and that he put an end to it by a matricide. The last mentioned contracts bear date the 15th year of the Queen Cleopatra Evergetes Philometer, the mother of Ptolemy Alexander Philometer, who then reckoned the twelfth year of his reign. The Edfou monument presents likewise the royal legends of Ptolemy Soter II., the predecessor of Alexander I., and like him, at once a king and the slave of an ambitious mother, who had her name inserted in the public acts together with those of her children, whom her caprice called to the throne and drove from it in turn. This is corroborated by a contract preserved in the Royal Museum of France, and executed in the 4th year of this Queen and of Ptolemy Soter II.

Two other existing Egyptian contracts must be referred to this same epoch of revolutions: they are dated in the eighth year of a Ptolemy and of a Queen Cleopatra, surnamed Tryphæna, whose existence is a new fact, requiring explanation, in the annals of the Lagides.

The monuments of Egyptian style referable to the reign of Evergetes II., and successively to his two wives, Cleopatra, his niece, and Cleopatra, his sister, are also numerous. There are, at Philæ, the temple of Athyr, or Venus, consecrated in the names of Evergetes II., and of his second wife, Cleopatra, who, in the sequel, will appear rather the tyrant than the mother of the kings Soter II. and Alexander I.; and at Ombos and at Edfou divers parts of temples begun under the preceding kings.

The palace of Karnac, lastly, a monument of the magnificence of the Pharaohs, exhibit restorations made by Evergetes II.; but the works of the Lagide king are easily to be distinguished by their heavy and awkward style from the sculptures of a more ancient

date. Superstitious as he was cruel, Evergetes thought, no doubt, to expiate his crimes by acts of religious piety. There is still to be read on a vast slab of granite, placed against the eastern entrance of the great temple of Philoë, a long hieroglyphic inscription, dated the 24th year of this prince's reign, of the donation made to the temple of a vast cultivated domain, situate in the vicinity of Syene, in acknowledgment of the benefits which he has, he says, received from his father, the god Osiris, and from his mother, the goddess Isis, sovereign lords of Philoë.

Contracts, bearing date in the reigns of Philometer, are almost as numerous in the collections of Europe as those of the reign of Evergetes II., his brother and successor. These have confirmed the ephemeral reign of an infant, Ptolemy-Eupater, the son of the King Philometer, and who was assassinated by his uncle, when this unnatural relative seized on the throne. Of the time of Philometer is the dedication of the great temple of Ombos to the gods, Aroëris and Sevek, the Apollo and Saturn of the Egyptians.

Ptolemy Epiphanes, the father of the two kings of whom we have just spoken, and the Queen, his wife, Cleopatra of Syria, dedicated one of the temples at Philoë to the god Imouth, the son of Phtha, a divinity assimilated, by dedicatory inscriptions in Greek, to the god Asclepius, the Esculapius of the Latins. The dedication of the temple of Edfou to the god Aroëris is also in the reign of this prince, and to the same epoch belong several deeds in the Royal Museum of Paris, which repeat the whole protocol of the celebrated inscription of Rosetta, the source of all the knowledge hitherto acquired on the graphic system of ancient Egypt.

The temple of Antæopolis is of the date of the reign of Ptolemy Philopater, and of Arsinoë, his wife, the mother of Epiphanes. The old palaces of Karnac and Luxor, at Thebes, were repaired during the reign of this Ptolemy Philopater; and it is his predecessor, Evergetes I., to whom are to be ascribed the bas-reliefs of the grand triumphal gate which excite extraordinary admiration even among the monuments of this ancient capital of Egypt.

Evergetes I. acquired celebrity by his grand military expeditions in Asia and Africa, and by conquests; the pompous enumeration of which is preserved by the Greek inscription of the monument of Adulis. That inscription proves that this Ptolemy extended the dominion of Egypt towards the south; and, in fact, his is the first name of a Lagic king to be found, above the first cataract, on the monuments of Nubia. It is to be read, among other places, on the sculptures of the temple of Dakkè, the ancient Pselcis. But many of the bas-reliefs of this edifice are anterior to those which record the names of Evergetes I. and of his wife Berenice, the queen, who, associating her votive offerings with the military works of her husband, saw her hair placed among the constellations by the flattery of the Greek astronomers of Alexandria. These same bas-



reliefs, which, in point of situation, immediately precede those on which the Lagic king is figured, represent the homage rendered to the gods of the temple by a king, an entire stranger to the family of the Ptolemies; and yet the style of the former of these sculptures does not bespeak an epoch much antecedent to the latter. It is this unknown king whose hieroglyphic name can only be pronounced Erkamen or Erkamon, who dedicated the most ancient sanctuary of the temple to the god Thoth, surnamed Arhnoufis, as appears from two inscriptions, in sacred characters, in which this Erkamen is dignified with the titles of *King, Beneficent God, Son of the God Chnouphis, sprung from the Goddess Saté, and foster child of the Goddess Anoukis*, the Jupiter, Juno, and Vesta of the Egyptians, the especial divinities of all the countries near the first cataract.

These several circumstances united, and deliberately examined, prove to us that this unknown king is no other than that king of the Ethiopians who was the first who dared to throw off the theocratic yoke imposed by the priesthood on the sovereigns of Ethiopia, and who wrought this great revolution by means too often resorted to by African policy—a general massacre. Diodorus Siculus, who relates this event, gives, in fact, to this king the name of Ergamenes, and states positively, that this prince, versed in the literature and philosophy of the Greeks, was contemporary with Ptolemy Philadelphus, the father of Evergetes I. Hence it is clear, that Nubia, previously a dependency of the kingdom of Ergamenes, was brought under the dominion of the Greek kings of Egypt by the success in arms of Evergetes I., whose name was inscribed on the temple of Dakké, after that of the Ethiopian, his predecessor.

The excellent administration of government enjoyed by Egypt under the two first Lagic kings, Ptolemy Philadelphus, and his father, Ptolemy Soter, the founder of the Greek dynasty, satisfactorily accounts for the number and importance of the monuments constructed during their reigns. The temple of Bahbait, in Lower Egypt, constructed entirely of red granite, certainly belongs to their epoch, as do also many parts of edifices at Philœ, Kous, and Thebes.

One of the most distinguished generals of Alexander the Great, Ptolemy, surnamed Soter, when he had placed on his head the crown of Egypt, was the sovereign, *de facto*, of that rich country before he assumed the title and ensigns of royalty. It was in the interval which elapsed between the death of the Macedonian conqueror, and the year in which his lieutenants consummated their usurpation by the assassination of all the progeny left by him, that Ptolemy caused two kings to be acknowledged successively by the Egyptians. The hieroglyphic inscriptions attest their reigns, and history must henceforth admit them on the list of Egyptian sovereigns. The one recorded by the sculptures of the first and second

sanctuaries of the palace of Karnac, at Thebes, and on the columns of the portico of Achmounein, is the very brother of Alexander the Great, Philip, better known in history by the name of Aridæus; the other king whom Ptolemy raised as successor to Philip, was Alexander, the son of Alexander the Great, and of Roxana, the daughter of a Bactrian king or satrap. Some hieroglyphic legends engraved on the vestibule of granite at Elephantina, some carving on the palaces of Luxor and Karnac, and, lastly, a sheet of papyrus in the Royal Museum of Paris, which is a private deed, are the only evidences now remaining, that the son of the conqueror of Asia enjoyed, for the space of a few days, the vain title of heir to his father. The ambitious Cassander had him put to death; and thus the murder of an infant, sprung from the Greek conqueror and a Persian mother, marked the termination of the dominion of the Persians, and the commencement of that of the Greeks, in the same manner as, three centuries afterwards, the assassination of the infant son of Julius Cæsar, and of the Queen Cleopatra, put an end to the domination of the Greeks, and introduced that of the Romans.

It is also from the epoch of Alexander the Great, or, in other words, previous to the last years of the fourth century before Jesus Christ, that the chronologist who would ascend with some certainty the course of the antecedent years, finds the disorder and the want of authenticity of the Egyptian annals increase. The documents furnished by the writings of the Greeks are vague, ill connected, and too often at variance, when they treat of the history of Egypt, of the ages during which that country enjoyed political independence, and was governed by its indigenous kings. The events which occurred during this long course of ages were, in fact, so wholly foreign to the affairs of Greece, and the periods in which they happened were so far removed from her age of literature, that we should have to abandon all hope of obtaining positive light on the history of these ancient epochs, if the monuments constructed under the reign of the kings on whom the fate of the people then depended did not exist to this day, and that in great number, on the soil of Egypt itself. Our new discoveries of the hieroglyphic system, applied to this order of ancient monuments, have received on one hand full confirmation, and, on the other, have obtained from them, for the benefit of history, a mass of authentic facts and documents wholly unexpected.

From these ancient monuments have been collected, in the first place, inscriptions, the greater part of which are of the times of those kings of Egyptian race who, during forty years, combatted incessantly for the liberty of their country against the power of the Persians, whose yoke was broken by the Egyptian kings, Amyrteus and Nephereus.

Two sphynxes of the Louvre Museum bear legends of this last king, and those of his successor, Achoris, who is recorded also on

the sculpture of the temple of Elethya, by the inscriptions of Towra, and by a stele of the Turin Museum. In the Academy of Bologna, there exists a statue of the Mendisian Nephertites; and the names of the kings who succeeded him in the national war, the two Nectanebus, are to be read on many buildings of Philoë, Karnac, Kourna, and Saft.

The name of Darius Ochus, who, by fire and sword, and in spite of the efforts of the kings just named, made Egypt bow again under the Persian yoke, has not yet been found any where; but, contrary to all expectation, there still exists monuments which refer to the reigns of the first successors of Cambyses. The statue of a Saitic priest, in the Vatican Museum, presents in its inscriptions the name of the ferocious Cambyses, (Kamboth). That of Darius, (Ntarloush,) is carved on the columns of the great temple of the Oasis of El Khardjeh; and the Royal Museums of Paris and Turin possess nine original deeds, executed during the long reign of this monarch. Still, in Egypt there exist inscriptions dated in the different years of the reigns of Xerxes (Khshearsha), and Artaxerxes (Artakhshearsha.)

As was to be expected, the monuments of the Egyptian dynasties anterior to the conquest of the Persians, that is to say, towards the end of the sixth century, before the Christian æra, are much more numerous and of greater importance. The Kings of the *Saitic family*, the dynasty dethroned by the Persians, have all, with the exception of the last, the unfortunate Psalmenites named in the inscription of the before mentioned statue in the Vatican, left irrefragable evidence of the splendour of their reigns. The greater part of the fragments of sculpture scattered among the ruins of Sais bear the royal legend of the celebrated Amasis, and he is the *Pharaoh* who consecrated to the Egyptian Minerva, *Néth*, the monolithic chapel of red granite existing in the Royal Museum of the Louvre. The obelisk of the Minerva at Rome, and some parts of the edifices of Philoë, are of the date of the reign of his predecessor, Apries. Numerous stelai and statuary inscriptions repeat the legend of Nechaos I., who made himself master of Jerusalem, and took the King Joachaz prisoner into Egypt. The fine obelisk of the Monte Citorio at Rome, the enormous columns of the first court-yard of the palace of Karnac at Thebes, are monuments of the magnificence of Psammeticus I., the pacificator of the civil disorders which desolated Egypt when the dominions of the Ethiopians ceased.

The yoke of this foreign dynasty, however, was not of an oppressive character: no community of origin, religion, and language between the vanquished and their conquerors was, doubtless, the cause of its leniency. A direct proof of the mildness of the Ethiopian conquerors is afforded by the considerable number of monuments which in Ethiopia, as well as in Egypt, have dedications

made in the name of kings, masters at once of both these countries : Shabak, Sevekothph, Tahrak, and Amenaso, the Sabakon, Sevechus, Thraca, and Ammeris, mentioned in Scripture, and by the Greek historians.

Among the ruins of Heliopolis, and still more among those of Tanis, are to be found several constructions of the reign of the Pharaohs of the Egyptian Tanitic dynasty, which preceded the Ethiopian invasions. In these, the names of the three kings of this family, Petubastes, Osorthus, and Psammuo, are to be read to this day.

The ruins of Bubastes offer in their turn monuments of the Bubastic kings, the predecessors of the Tanitic family. The chief of this dynasty, Sesonchis, the conqueror of Roboam the son of Solomon, and the despoiler of the temple of Jerusalem and of the treasures of David, built the great temple of Bubastes described by Herodotus, as also the first court of the palace of Karnac at Thebes. His son, Osorchon, who also led an army into Syria, continued the important works begun by his father. But Takellothis, his successor, is only known at this day by means of a small funerary tablet, sacred to the memory of one of his sons, a painting, of which the one half is preserved in the Museum of the Vatican, while the other forms part of the Royal Museum at Turin.

Some sculptures record, also, the memory of the family preceding that of the Bubastites. This was the dynasty of the first Tanites, the chief of which, Mandonothph, called by the Greeks, Mendes, constructed the vast palace known in antiquity by the name of the Labyrinth, and which, divided into compartments, equal in number to the *Nomes* or *prefectures* of Egypt, was destined for the reception of deputations, assembled at stated periods from every province, to decide on the most important state affairs. Aristotle, Bossuet, and Montesquieu, were right, therefore, in considering the ancient government of Egypt as a limited one, and as constituted in a stable manner.

The names of the twelve kings of the Diospolitan family, who occupied the throne before the Tanites, still exist on the temples and palaces of Egypt ; but since neither the extracts from the book of Manetho, nor any history, have transmitted the entire series of these princes, it is not possible to fix the course of their succession without studying on the spot the order in which these kingly names are inscribed on the decorations of the monuments completed in their reigns. This Diospolitan dynasty is reckoned the twentieth in the chronological system of the Egyptians : the founder of it was Rhampsinitus, a Pharaoh, celebrated for his immense treasures.

In the Greek orthography of this name, we recognise evident traces of that of Rameses, borne by all the princes of the preceding dynasty, called the nineteenth Diospolitan ; and the soil of Egypt is strewn with their magnificent constructions, although the least

ancient of them, **Rameses XI.**, was contemporary with the war of Troy. His name is inscribed, among other places, on the small columns of the hypostyle hall of Karnac. The Museum of Turin possesses some public acts dated in the reign of his predecessor, **Rameses X.**, surnamed Ammenemes. At Biban-el-Malouk, the royal tomb of **Rameses IX.** is still admired. His predecessor, **Rameses VIII.**, called Amenothphth, is mentioned in the papyrus at Turin, and on the fragment of a statue in the British Museum. The tomb of the second king of this powerful dynasty, **Rameses VII.**, is still existing at Thebes; and we read his royal legend at Karnac, at Elephantina, and on a great number of monuments brought to Europe. Lastly, Egypt and Nubia offer very few remarkable edifices, from the Mediterranean to the second cataract, which have not in their decorations some memorial of the reign of the first of this dynasty, **Rameses VI.**, more known in the West by the divers names of **Rhamses**, **Sethos**, **Sesoosis**, and **Sesostris**.

This great king was worthy of all his renown, not less for the wise laws he gave his subjects than for his vast enterprises. The temples which still exist at Derry, at Ipsamboul, at Ghirshé, at Ouadi-Eseboua, in Nubia; the building called the Palace of Osymandias; a portion of the immense edifice of Karnac; the first court, the entrance, and the colossal figures of the palace of Luxor at Thebes, are all monuments of the glory of **Sesostris**, and the fruit of the wealth acquired by the conquests of this illustrious monarch, and devoted by him to the good of his country. He, moreover, intersected Egypt with canals, and employed a happy reign of fifty-five years' continuance, in enriching his dominions with new cities and useful establishments. The lawful possessor of a throne, occupied before him by a series of kings, among whom Egypt already reckoned many of her most illustrious Pharaohs, **Rameses**, or **Sesostris**, flourished in the fifteenth century before the Christian era. This is an epoch to which the history of very few nations can be traced with any certainty. In every other country, mere traditions are cited; Egypt alone can show a mass of monuments contemporary with events; and it is precisely of the grand Diospolitan dynasty which preceded that of **Sesostris**, and not of any subsequent epoch, that there exists the greatest number of these monuments contemporary with every successive reign without exception. These consist in temples, palaces, tombs, colossi, obelisks, inscriptions cut in stone, and even original public acts written on slender pellicules of papyrus, which have withstood more than thirty centuries.

The application of the hieroglyphic alphabet to the matters inscribed on these divers kinds of monuments, assigns to the kings of this dynasty, called the 18th, the foundation of the most ancient edifices of Thebes, and of the whole of Egypt. This application shows, on the one hand, the brilliant splendour of the Egyptian nation, in times when most other nations form but the subjects of

wonderful fables : and proves, on the other, the actual existence of kings whom the scepticism of critics had long ago classed with the multitude of these same fictions, the offspring of national self-love.

In fact, the decorations of many parts of the palace of Karnac were executed under the reign of Rameses V., called *Amenophis*, the father of Sesostris. The grandfather of this conqueror, Ramses IV., called Meiamoun, built the vast temple of Medinet Abou, and the temple situated near the south gate of Karnac. The magnificent sarcophagus, which once enclosed the body of this Pharaoh, has lately been brought from the catacombs of Biban-el-Malouk to the Royal Museum of the Louvre. Dedications of Rameses III. are to be yet read in the second court of the palace of Karnac, and the tomb of this fourteenth king of the great Diospolitan dynasty still exists at Thebes, in the sepulchral valley of the kings. His predecessor, Ramses II., erected the two superb obelisks of Luxor. The brothers Mandouei and Ousirei, who reigned before him, have left, as proofs of their existence—the one, the great obelisk of the Piazza del Popolo at Rome, brought away from the ruins of Heliopolis by Augustus, sixteen centuries after the erection of this monolith; the other, the fine palace of Kourna, and his tomb, so worthy of admiration, discovered at Thebes by the unfortunate Belzoni, to whom Europe is indebted also for the magnificent sarcophagus of alabaster now in England. Their father, Rameses I., raised the masses of the hypostile hall of Karnac, and dug the sepulchre at Biban-el-Malouk. An inscription in the Museum of Turin records the memory of the Queen Achencheres, and that of her father the king, Horus, under whose reign the grand colonnade of the palace of Luxor was erected. The most ancient parts of that edifice, that very elegant temple of Chnouphis, at Elephantina, the palace heretofore known by the name of Memnomium, and that of Sohleb, on the frontiers of Ethiopia, are monuments of the piety and of the munificence of Amenophis II., whose colossal speaking statue attracted, among the ruins of Thebes, the superstitious curiosity of the Romans. Thoutmosis IV., the father of Amenophis II., completed the temples of Ouadi-Alfa and of Amada, in Nubia, begun by his predecessor, Amenophis I. Of this king legends are still to be read on the edifices of Karnac and Ibrim. The pilasters and the apartments of granite of the palace of Karnac, several temples of Nubia, the grand sphynx of the pyramids, and that immense obelisk of St. John, in Lateran, attest the power of the Pharaoh Thoutmosis III., called *Meri*. This is the Moëris of the Greeks, so renowned for the formation of the lake of such vast importance to the agricultural prosperity of Egypt. The most enormous of the obelisks of Karnac was erected by his mother, the Queen Aneuses, who governed the empire during 21 years. This monolith is dedicated in the name of that princess to the god Ammon; and to the memory of her father, Thoutmosis, whose royal legend is inscribed

on the most ancient parts of the palace itself, and is to be seen repeated at the extremity of Nubia, in the bas-reliefs of the temple of the Nile at Semné. The Museum of Turin possesses a colossal figure of Thoutmosis, the father of the Thoutmois just mentioned.

Lastly, the name of the first of this illustrious Theban dynasty is repeated in a number of religious inscriptions, in which this Pharaoh Amenothph is adored as a god, because he delivered Egypt from the long tyranny of a race of barbarians, whose Scythian origin every thing attests, and who, for a space of two centuries and a half, oppressed and devastated this unhappy country.

Other Egyptian monuments, but all of small dimensions, bear the dates of the reigns of the Diospolitan kings, the predecessors of the liberator Amenothph. But this dynasty, confined, during the continuance of the occupation by the pastoral race, to the southern parts of the empire, and constantly at war with the barbarians, did not actually become masters of the soil of Egypt until the courage of the last of these preceding princes, Amosis, drove back the Hyksos as far as the frontiers of Syria, and left to his son Amenothph the glory of forcing their last entrenchments. It is from the invasion of the barbarians, that is to say, from about the year 2082 before Jesus Christ (retrograding), that the continued series of historical monuments of Egypt is suddenly interrupted and stopped. Some remains of architecture, presenting the legends of a Pharaoh Mandouel, who appears to be the Osymandyas of Diodorus Siculus, are all that are now existing to bear witness to the advanced state of Egyptian civilization in the ages which immediately preceded the arrival of the devastating hordes of the barbarians. The annalist of Egypt, Manetho, in affirming that the Hyksos had entirely destroyed the temples, the palaces, and all kinds of edifices, which they found standing on the soil of Egypt, deprives us of all hope of collecting from the ruins scattered on the banks of the Nile any positive documents relative to the period of history anterior to the Scythians. The monuments, whose imposing masses still excite our admiration, are all subsequent to their invasion.

Thus the application of our newly acquired knowledge of the graphic system of the Egyptians, either to original monuments, or to monumental inscriptions faithfully given in the drawings of travellers, has already had the effect of restoring fifteen centuries of certainty to the annals of Egypt, by demonstrating, that on that ancient soil there exist, in our days, monuments contemporary with almost all the princes who had reigned there during twenty-two consecutive centuries.

Around the principal facts which we have just detailed, and which serve as it were but as ground-marks, a spacious void is observable, which it is of vast interest to history to fill up with details. Our regret on this point is not new : '*If the historian,*' (said

one of the most distinguished men of letters of Germany, M. de Heeren, twelve years ago,) 'should look to the historical and ethnographical bas-reliefs (Egyptian) for scenes of domestic life, which describe the manners of the nation, and those of the sovereigns, he seeks the very objects which lie at present under the greatest obscurity.' Unfortunately the inquiry remains to this day untouched, and all that has been published, far from filling up the important blank, has only served to increase the regrets of the learned, who know only from drawings (taken fortuitously from amongst the immense series of bas-reliefs) that the grand edifices of Egypt present the entire history of the most celebrated Pharaohs, sculptured in full detail; and that compositions of immense extent retrace on those edifices the most glorious epochs of the history of the Egyptians; for this people were desirous that their history should be read on the walls of their palaces, and it is the only nation which has dared to carve on stone such grand objects and such vast representations.

Europe is aware of the existence of this store of historic treasure; her ardent desire should be to possess it; she sees that our progress in Egyptian studies calls upon an enlightened government to lose no time in sending into Egypt persons devoted to science, and prepared to collect, while they yet subsist, the innumerable and precious documents which Egyptian magnificence formerly inscribed on the edifices whose imposing masses extort our wonder. Europe, knowing also that barbarism pursues unremittingly a system of destruction of these venerable proofs of an ancient civilization, hastens with all her prayers, the moment when faithful copies of these inscriptions and historical bas-reliefs shall afford her the certainty of filling up the blanks of the most ancient pages of the annals of the world. But it is not the history alone of Egypt on which such a journey would throw a light, to be sought in vain elsewhere than in the palaces of Thebes. On these there exists also information as desirable as unlooked for, of all the races of people who, from the first moments of human civilization, played an important part in Africa or in Western Asia. The principal expeditions of the Pharaohs against the nations who could contend in power with Egypt, or inspire her with fear, are carved on the monuments erected by the conquerors. We read on these the names of these people, the number of their soldiers, the names of the towns besieged, of the rivers crossed, of the countries subjugated; the amount of tribute imposed on the vanquished, and the names of the objects of value taken from the enemy, are inscribed on the tablets which represent these trophies of victory. These bas-reliefs, intermingled with long explanatory inscriptions, are so much the more deserving of careful investigation, as the Egyptian artists have given with admirable fidelity the physiognomy, the costumes, and all the habits of the foreign nations with whom they had to fight. We shall be able to learn, in short,



by the direct study of this vast historic gallery, what nations were capable of balancing, at epochs on which history is as yet silent, the power of the Pharaohs, by disputing with Egypt the empire of that ancient world, which merely glimmers to us through a thousand uncertainties ; but the reality of which, already ascertained, is not the less astonishing, though it should refer these grand events to an epoch much less remote from our own, than a spirit of system, more bold than reasonable, would assign them.

A literary journey to Egypt is now, therefore, one of the most useful that can be undertaken for the interest of historical science. The plan of such a one is already formed, and to undertake it myself, I only await the orders of my king.

#### AN ORIENTAL FABLE.—FROM THE TAMIL.

*Founded on the popular notion of the Hindoos, that the Oyster has the power of converting Rain-drops into Pearls.*

ONCE from a passing cloud there fell  
A shower of silvery rain  
O'er stormy Ocean's azure swell,  
And hiss'd along the main.  
When thus a weeping rain-drop pined,  
Wailing his luckless fall :  
Midst mighty waters thus confined,  
Alas ! poor I, how small !  
Myriads of globules blindly toss'd  
By fortune wander here,  
And in one wild confusion lost,  
Ignobly disappear ;  
And such my cruel fate, no doubt !—  
He said ; nor ceased to weep,  
When lo ! an oyster rose from out  
The bosom of the deep ;  
With bearded mouth extended wide,  
He bent his watery way ;  
The crystal drop he quickly spied,  
And quaff'd the glittering prey.  
To precious pearl it now was turn'd,—  
And by the divers ta'en :  
Its fame was rung through all the world,  
A prize for Kings to gain,  
Vast treasure China's Emperor paid  
To buy this costly gem,  
And set in gold, with art display'd,  
It graced his diadem.

Let then the tale this moral bear,  
That in our changing state,  
'Tis ne'er too early ill to fear,  
'Tis ne'er to hope too late.

### THE NIELGHERRIES, OR BLUE MOUNTAINS OF COIMBATOUR.\*

SIR,—It is quite unnecessary to remind yourself or your readers of the sad experience too many of us have had of the baneful effects of an Indian climate on the European constitution. From this cause, many valuable public officers have been compelled prematurely to retire from a service in which all their temporal hopes were centred, and that at the very period when their opening prospects were beginning to reward their assiduity in the subordinate situations they had filled. When rendered incapable of exertion by intense heat; suffering severely from languor and disease, and, above all, depressed in spirit by the apprehension of all their rising expectations being at once blasted, in consequence of the impossibility of longer maintaining their ground, what an indescribable gratification would it have been to them to have known that, within the territories of British India, there existed a region singularly salubrious, romantic, and beautiful, whither they might with safety, and with so little difficulty, repair, to recruit their health and vigour. They would have hailed such a discovery as one of the choicest boons a gracious Providence could bestow; yet would it have appeared so far to exceed the bounds of probability, that most likely they would have hesitated for some time to credit every report on the subject. When, however, a body of concurring evidence had compelled their incredulity to yield, they would, doubtless, have hastened to avail themselves of the proffered blessing.

India, alas! still contains many persons in the situation just described; but it is now in their power to realize the advantages for which so many have sighed in vain. The climate of the Nielgherries, or blue mountains of Coimbatour, is, perhaps, unparalleled, all things considered, for salubrity, equilibrium of temperature, and other favourable properties. These mountains stand between one and two hundred miles from the coasts of Coromandel and Malabar, at 11 degrees N. latitude, and were discovered upwards of seven years ago.

In January 1819, the coldest month in the year throughout India, several gentlemen residing at Coimbatour, made a tour on the Nielgherries, and their account of the excursion appeared shortly after in one of the Madras journals. They spoke in raptures of the appearance of the country, but most especially of the climate, which they described as invigorating in an extraordinary degree. Its temperature they stated to be 30 deg. lower than that of the climate below; they gave, at the same time, their observations on the range of the thermometer, which fully corroborated their statements. The place

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\* From the 'Bengal Hurkaru,' in a letter addressed to the Editor.

being quite unknown to either Europeans or Natives, this account created but an ephemeral sensation.

In the month of May, of the same year, several of our tourists, accompanied by the late Monsieur Leschnault de la Tour, (Indian naturalist to the King of France, and eminent for his researches in natural history,) repeated their excursion up the Nielgherries, and again published an account of their tour in a newspaper of Madras. This second experiment fully confirmed their former impressions. It was made at a season when the temperature of the plains was from 90 to 100, but on the hills the maximum of the thermometer in the shade is stated to have been at 74, and that only for a few days, the general temperature being much lower. In the mornings the thermometer was as low as 52.

M. Leschnault also, previous to his departure from India, published in a Ceylon paper the following very satisfactory account of his own opinion of the climate and productions, and of the beneficial effect his visit had produced on his own debilitated constitution:

*Extract of a Letter from Mons. Leschnault de la Tour, dated Pondicherry, 5th July, 1819.*

The mountains of Niel-gheree are situated to the north-west of Coimbatour. Their length east and west is about forty miles, and their width north and south varies at different points, from fifteen to twenty-five miles. I remained some days on their summit, and made excursions in different directions. They have great elevation, but no observations that have been yet made, have determined their height with any degree of accuracy; the only conclusions which could be drawn were from the action of the atmosphere on the barometer, which fell at night (in December and January) considerably below the freezing point, a degree of cold which is indeed astonishing, if we consider that the mountains are situated in the latitude of eleven degrees. Their ascent, on the Coimbatour side, is scarcely accessible; the narrow paths, which form the communication between the natives of the plains and those of the mountains, are very steep: the most rugged parts of this rocky district are passed by the natives with the greatest facility; many of the paths ascend without the smallest degree of sinuosity, often forming an angle of forty-five degrees with the horizon, and seldom less than thirty; the roads are embarrassed in many places with fragments of rock, which it is not possible to pass without the assistance of the hands. It would be very difficult to give you an idea of the extreme difficulty we experienced in attaining the summit. We spent two hours and a half in reaching it, although the distance could not be more than two or three miles; the road was continually interrupted by hills scarcely accessible, and by descents not less difficult. In fact, I believe, the extreme irregularity which the face of the country presents, has been the chief cause of its being to this day so little known to the European world. On the slopes of the mountain there is a forest, which serves as a recess for tigers, and at the base there are many elephants.

The summits of these mountains are beautifully varied and picturesque; the surface is composed of mounds, more or less steep. The valleys formed in the intervals of these, convey rivulets of beautiful spring

water; with but little attention, the most delightful meadows might be made in many parts of these invigorating regions. The side of the mountains vary: in some spots consisting of cultivated fields, in others of an impenetrable underwood, formed of a variety of thorny shrubs. It is to be regretted that these places are dangerous to approach, from the number of tigers, bears, and wild dogs, which inhabit them.

The inhabitants are not numerous; they are exceedingly mild, and appear to enjoy an independent and happy life. They are divided into three classes; the Beggars, the Trotters, and the Cotters. The last, which reside in the higher regions, are considered as the primitive inhabitants; they are generally shepherds, and keep considerable flocks of buffaloes. The other two tribes are employed in agricultural pursuits. There is one custom prevalent here, which entirely militates against Oriental manners—an allowed plurality of husbands. It is common enough to see two or three brothers, with but one wife between them, who dispenses her favours *selon son gré*. Independent of this peculiar privilege of the women, they are allowed a *cicisbeo* of their own choosing, with whose advantages no husband would think proper to interfere. The symmetry of this race of people is beautiful, and their countenances are fine. The villages, which are placed on the summits of the small hills, rising from the grand summit, are very low and miserable in appearance; they are, nevertheless, solidly constructed: they are exceedingly hot, having no other circulation than what arises from a very low and narrow entrance. The pasture plains generally lie round the habitations; there are no other species of cattle except oxen and buffaloes, which at night they enclose in an enclosure formed of stones, and surmounted by a fence, to guard them from the ravages of the wild beasts. The soil is reddish, and, in some places, inclined to black; it is deep, and very light and luxuriant. The plants principally cultivated here are, 'le ble, l'orge, les lentilles, le pois-pale—froment, la cretelle, plusieurs especes des millet, et les pois chiches.'

'During our whole stay in the district, the weather was serene and beautiful, and the temperature pleasant and salubrious: since the sickness which attacked me at Coimbatore, and which reduced me to the very brink of the grave, my stomach had refused its offices, and my whole frame was exceedingly debilitated. I had scarcely been here two days when I found my strength recruited, and I now enjoy an excellent state of health, and am sufficiently strong to walk seven or eight miles, over this rugged country, without feeling fatigued. I have gathered, on the summit of those mountains, more than two hundred plants, of which the greater part are specimens not known here before; the weather has been particularly favourable to their preservation, which I have effected entirely to my satisfaction; the botanist must feel peculiar interest in the mountains of Nielgheree, on account of the difference between the productions of this region and those of the plain below. There are many plants found here, entirely agreeing with those of Europe; under this class are: *Vaccinium*, *Rhododendrum*, *Fragaria*, *Rubus*, *Anemone*, *Balsamina*, *Geranium*, *Plantago*, *Rosa*, *Salix*, &c.; this plainly proves that the growth of the useful plants of Europe might be successfully attempted; and the strength of the vegetation convinces me that the result of the experiment would be satisfactory.

Public attention was yet but little roused to the subject. The existence of such a climate, in such a latitude, was considered as

great an anomaly; and the fact of such a region at so short a distance from Madras having never before been discovered, was so unaccountable, that few of those by whom the public opinion is accustomed to be guided could credit the reports they received. The Madras Government, however, with laudable and their accustomed liberality, determined on opening one of the passes to the mountains; and the pioneer officer employed on this service, who had been long in a bad state of health, and suffering from periodical attacks of the Ganjam fever derived almost immediate benefit from the climate, and hastened to corroborate the account of it already published.

In May 1820, another party, accompanied by a *lady*, ascended the hills; and in the course of the same year several other ~~trips~~ were made. The result of all these experiments proved the *accuracy* of the first impression. In 1821, the pass was opened, and ~~some~~ families took up their temporary abode on the hills.

But notwithstanding the uniformity of the favourable accounts given by all parties who ascended these mountains, so ~~notorious~~ to the insalubrity of hilly countries in India, that it was, for ~~some time~~, in vain to plead the superior elevation of the Nielgherries, ~~their freedom~~ from the jungle, or the healthy state of their inhabitants. An inveterate prejudice seemed to exist, which nothing could remove, so that it was long before any except eye-witnesses could be induced to believe what they heard. The number of these became, however, at length so great as to overpower incredulity, and after seven years of quarantine, the Indian community are beginning to reap the advantages of this interesting and valuable discovery. The positive benefit derived by invalids who have visited the hills, from the three presidencies of India, and the uniform testimony in their favour, borne by all the medical gentlemen who have resided any time upon them, have established their reputation, and they are now visited without apprehension of any calamitous consequences.

Some may, probably, be disposed to think that enough already has been written about these hills. Much has doubtless appeared in the public prints, but no regular accounts have yet been published of their climate and productions: and as the statements that have been given us were made on the impulse of the moment, and from a very partial acquaintance with the subject, several persons, and especially the gentleman to whom we are chiefly indebted for the former accounts, are desirous of having a fuller and more connected description than we have yet seen.

About two years ago, an interesting letter on the subject appeared in your respectable columns, which does not seem to have made the impression that might have been anticipated, considering that its author described the scenery and climate of the Nielgherries from personal observation. The subject deserves to be well understood, and taken up in a spirited manner by the Indian community. From

the uniform success of the experiments already made, I will venture to say, that a residence on the Nielgherries for a twelvemonth will produce more immediate and permanent benefit to a decayed constitution than a visit to the Cape, or any other place to which invalids have hitherto retreated.

Under this impression, I consider it a duty we owe to the public to make them more fully acquainted with the nature of the climate and productions of the Nielgherries. It is to be hoped that some scientific gentleman will ere long supply this desideratum. In the meantime, having resided upwards of twelve months on the hills, and had the benefit of the fuller experience and more mature information of several friends on the spot, it will give me great pleasure to communicate to the public, through the medium of your respectable paper, the result of our united observations. The demand for accommodation on the Nielgherries already so far exceeds the means of supply as to occasion considerable inconvenience to the local authorities. But they are actuated by too generous a feeling for the benefit of the community not to wish them to be more extensively known; and we have only to wish that the subject may be taken up by the Indian public with the same spirit.

Colombatoor, July 18, 1826.

J. H.

### ODE TO THE GREEKS.

#### *Recitative.*

WHENCE that thick revolving cloud,  
Those livid flames from yonder trees?  
Whence those thunders deep and loud  
That groan along the evening breeze?  
Greeks, arouse! Our country bleeds!  
These are the cruel Moslem's deeds:  
Our homes are fired, our lands despoiled,  
Our youths enslaved, our maids defiled,  
Our reeking altars bear the crimson stain  
Of immolated priests, and martyrs slain.

#### *Air.*

Hellenian! raise thy cowering crest,  
Arm thy red right hand,  
Bury the steel in the Moslem's breast,  
Crush the oppressor, race oppress!  
Strike for a fettered land.

Stain with gore from the foe's heart's core  
Thy sabre's very hilt;  
Nor cease the strife for freedom and life,  
Till all the wrongs of the murderer's knife  
Be atoned by the blood that is spilt.

*Oriental Herald, Vol. 14.*

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Injured sons of the ancient brave,  
 Remember the deeds of old;  
 Remember, how their land to save  
 Your ancestors sought a glorious grave—  
 Remember, and be bold!

Think on that Monarch, with soul so great,  
 Who fought in the bloody Pass;  
 Who smiled when he thought of his noble fate,  
 And death preferred to a throne of state—  
 Think on Leonidas!

Think on his chosen faithful band,  
 Who sold their lives so dear;  
 Who cheerfully shed their best heart's blood,  
 And stubbornly fought for their country's good,—  
 Strangers to fear.

Heroes! 'twas nobly done,  
 Ye have not died in vain;  
 Your sons shall emulate your worth;  
 A cause as noble calls ye forth,  
 And we 'll block the Pass again.

In sea-girt islands still we dwell,  
 Still walls of wood our power;  
 And Ocean shall prove to the Infidel  
 But the yawning gulph of a watery hell,  
 Expanding to devour.

We have but a single life to lose,  
 'Tis but a parting breath;  
 A realm and freedom to gain: we choose—  
 Could Greeks the glorious choice refuse?—  
 Freedom or Death!

Then smite the Infidel, drive him forth  
 Beyond the abode of men,  
 Scare him away from the fertile earth  
 To thirsty wilds, and regions of dearth,—  
 Let him lurk in the lion's den.

There in the desert let him roam,  
 Like herds of the wild gazelle,  
 A fitting place for the robber's home,  
 But never again shall the Moslem come  
 Where freemen dare to dwell.

B. G. B.

BRITISH SETTLEMENT IN ALBANY, SOUTH AFRICA, UNDER LORD  
CHARLES SOMERSET'S ADMINISTRATION.

No. I.

THE history of the British emigration to the Cape in 1820, is in several points already sufficiently known to the public. The defects of the plan of location, the failure of the first crops, and the consequent sufferings of the emigrants, have been pretty fairly and fully detailed by various intelligent writers.\* But as the whole truth could not be safely told by any person resident in the Colony during the administration of Lord Charles Somerset, one very important point has been hitherto either altogether passed over, or most inadequately adverted to, by those who have recently written on the affairs of the Cape. This topic is the *treatment of the settlers* by the Colonial Government and its provincial functionaries; which, as it conducted more than any other cause to the disappointment and discontent of the emigrants, and as it exhibits the operation of the colonial system in a very striking manner, it is necessary, in completion of the objects I originally proposed to myself in this series of papers,† to bring fully before the reader.

The task of making the necessary arrangements for the reception and establishment of the emigrants, devolved on Sir Rufane Donkin, to whom the Government had been consigned on the hurried departure of Lord Charles Somerset for England in January 1820; and, on the part of the acting Governor, (whatever may have been his faults or errors,) there certainly existed an honest and ardent wish to perform these important duties efficiently. He went down himself to the frontier, accompanied by Mr. Ellis, then Deputy Colonial Secretary, to superintend the prompt and impartial execution of the requisite measures for transporting, locating, and provisioning the different parties, amounting altogether to upwards of 4000 souls; and it is but justice, both to Sir Rufane and Mr. Ellis, to state, that their personal exertions in this service were most laborious and unremitting, and gave universal satisfaction to the emigrants.

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\* The reader who is desirous of farther investigating the history of this emigration, instructive and curious as it is in several points of view, may consult the following works: 1. 'State of the Cape in 1822, by a Civil Servant,' especially the official documents, and Mr. Colebrooke's note in the Appendix. (The Author's own remarks are not to be trusted.) 2. 'Some Account of the State of the British Settlers in Albany,' &c. London. Underwood, 1824. 3. 'South African Journal,' No. II. Cape Town, 1824. 4. Thompson's 'Travels and Adventures in Southern Africa.' London. Colburn, 1827.

† Vide Articles in 'Oriental Herald,' Nos. 34, 35, 36, 38, 40, and 42, entitled, 'State of the Cape in 1825.'



Sir Rufane again visited Albany in the ensuing year to encourage the settlers after the unfortunate failure of their first crops, and to rectify the abuses, and redress the numerous complaints, which the misconduct and incapacity of the two provisional Magistrates, Captains Trappes and Somerset, had occasioned. Finding on investigation that the continuance of these two functionaries in office was totally incompatible with the welfare of the settlement, he removed them both from the administration of the district; which was at the same time disunited from its connection with Uitenhage, and placed under the magistracy of Major Jones, a gentleman distinguished for his intelligence, and universally beloved for his urbanity and benevolence.

The new Landdrost had not apparently been previously much accustomed to that unremitting application to business, which, in the peculiar situation of the settlement, his civil functions (combined as they rather injudiciously were with the military charge of the frontier) constantly demanded; but, being zealously assisted in the administration by the public-spirited Heemradens, Captain Campbell and Major Pigot; and being himself really anxious to promote the public welfare—frequently visiting the various parties of emigrants—inspecting the progress of their improvements—reconciling disputes, and willingly redressing grievances, whenever it lay in his power,—he became extremely popular among all classes; so that even the unprecedented calamity of continued failure of the crops, and the numerous other difficulties of their situation, were felt to be greatly mitigated by the benevolent interest which this kind-hearted man evinced in the welfare of the people. The acting Governor, at the same time, continued to manifest an undiminished zeal to promote every measure necessary for their comfort and security, to meet with fairness and cordiality every reasonable claim; and to mitigate, as far as he possessed the power, every disaster; and, by this means, the spirits and enterprise of the settlers were kept alive, and their confidence in the paternal care of the Government, and hope of ultimate success, maintained unimpaired.

Such was the posture of affairs in Albany when Lord Charles Somerset returned from England, in December 1821, to resume the administration of the Colony. His Lordship landed in furious wrath against Sir Rufane, on account, it seems, of the representations of his son, Captain Somerset, whom Sir Rufane had removed from the frontier. Not finding it prudent or practicable to revenge the fancied wrongs of his son on the departing Knight, Lord Charles magnanimously determined, it seems, like an angry school-boy, to 'upset all his measures,' perfectly reckless how the consequences might affect either the public interests or those of individuals. Major Jones was a popular officer, and could not possibly have offended his Lordship; but Major Jones was a friend of Sir Rufane's, he was therefore instantly superseded in all his

appointments. This indulgence of personal pique, however paltry, might have been overlooked, but some of his Lordship's other measures will require a graver defence.

An eligible spot had been fixed upon in the centre of the locations for the seat of magistracy; and a town had been founded there which was named Bathurst, in honour of his Majesty's Secretary for the Colonies. This place was rapidly rising into importance; a considerable sum had already been expended in public buildings; and many of the settlers, confiding in the acting Governor's proclamations, holding out encouragement for settling there, had purchased building lots from the Government, and invested their entire capital in the erection of substantial brick houses, and the inclosure and cultivation of gardens and orchards. The beauty and fertility of the adjacent country; its vicinity to the embouchure of the river Kowie, which had been found accessible for small coasting vessels; and, above all, its very convenient central position as a ready market both for labour and produce, gave advantages to Bathurst over every other spot in Albany, which Mr. Ellis, the intelligent Colonial Secretary, who first fixed upon it, and Sir Rufane Donkin, who, after careful investigation, approved of its selection, had justly appreciated. Lord Charles Somerset, however, whether from ignorance or indifference to such considerations, whether out of hostility to Sir Rufane, or by whatever motives actuated, without allowing time for either inquiry or remonstrance, announced by one of his first proclamations the instant removal of the seat of magistracy to Graham's Town. The complaints of the settlers, who were so deeply interested in the matter, and many of whom were, in fact, ruined by the change, were treated with the most contemptuous disregard. The town has subsequently fallen into entire decay, and is now almost deserted.

The ruin of Fredericksburg, a settlement set on foot by Sir Rufane Donkin, and one of his favourite measures, was accomplished more indirectly, but not less effectually. It did not even require a proclamation to do the business. Fredericksburg was a sort of half-military establishment, and being situate in the ceded territory, in advance of the locations of the emigrants, it formed, in connexion with the other posts then occupied along the Great Fish River, a very effective defence to them against the depredations of the Caffers. It was undertaken at the express suggestion of the Acting Governor, and upon a specific agreement between him and the fifteen gentlemen who embarked in it, all of whom were half-pay officers, chiefly belonging to the Royal African Corps. These officers were authorised to take with them sixty men, selected by themselves from the African Corps, both for the sake of defence, and to act as their servants in cultivating the ground; and the men were to be allowed their free discharge, and a grant of one hundred acres each, upon obtaining from their masters certificates of their good behaviour, at the

expiration of a certain probationary period. The officers were to have farms assigned them of 4,000 acres each; but, for mutual security, until the adjoining territory was also located, they agreed to build their houses together in a fortified village, adjoining to which a lieutenant and thirty men of the Hottentot Regiment were also posted.

The settlement was commenced with much enterprise, and considerable capital was expended in buildings and improvements. In the course of a few months, upwards of fifty substantial houses had been erected, and others were in progress; and although some of the discharged soldiers, sick of the sobriety of the new village, had deserted from their masters, yet of the complete success of the enterprise no doubt was entertained, until it was known that Lord Charles Somerset had frowned disapprobation. Every one who had lived under his Lordship's government then considered its doom denounced. The following observations, written at the time by one of this party, will show pretty distinctly how such affairs are managed at the Cape, and how well his Lordship's policy was appreciated by its victims. Having given a narrative of the progress of the undertaking up to the period of Lord Charles Somerset's return, the writer proceeds:

'Such was the favourable aspect of our enterprise, when one of those changes took place, of which, or rather of its effects, no inhabitant of England, accustomed to observe the succession of kings or ministers without emotion or apprehension, can form an idea. *There*, if the measures in existence are to be changed, reasons must be given; and the losers have at least time to be heard. It is otherwise *here*. The happy simplicity of this Government dispenses with rules and with ceremony. A proclamation is omnipotent, but it is too weighty a weapon to be always in use. A much easier mode is frequently employed, with unflinching success: this is gradually to avert that sustaining countenance without which nothing can exist here. And, besides, this mode is preferable on another account; for suppose (a *hypothetical* case, of course!) that a settlement, or any thing else, formed by one Governor, and, *therefore*, obnoxious to his successor, is determined to be attacked,—at the same time so strongly posted, and so well supported by the public interests, and the public opinion, that it cannot well be attacked directly,—surely the most advisable plan would be to let it die an easy death, by withholding the supplies. But if we were to stretch probability a little farther, and suppose a late Governor could possibly adopt a measure to which even the ingenuity of his successor could oppose no solid objection, and that he (the ex-Governor) had the arrogance to pretend to some merit and credit with his superiors for it; no one could expect such Quixotic devotion as would be evinced by bearing that blame—which a *few trifling deviations* from

the straight line of policy could so easily transfer to the original projector.

' But let us look to the facts. It is certain, in the month of December 1821, Lord Charles Somerset re-assumed the reins of this Government, and that our settlers, who had by this time embarked their little all, began to watch his countenance with all the anxiety people usually show when their pockets are affected. If report was to be attended to, they had little to hope ; but they were not easily brought to believe that any measure founded upon public utility, could suffer for the sake of its author. They at least presumed, that if any real objection existed it would be immediately urged, and that they would not be permitted to make any further outlay, if it were determined they should reap no return.

' No direct official communication of the intentions of Government could be procured ; but it was not difficult to discover, through the common-place objections of office, and the more candid declarations of the Government minions, that ours was now a " party question ;" that we were pronounced " Rufanites ;" and that the pass-word given (dictated, no doubt, by the consciousness of strength) was, " Let Fredericksburg alone, and it *must* fall." Had this been literally done, the result would have been very different from that intended. There was already more than sufficient of *Government assistance*, which being translated, means, that vexatious and ignorant interference with individual interests, which must for ever fetter industry and enterprise,—which would subject the complicated process of public advancement to the discipline of the drill sergeant,—and which, in the hands of the best disposed rulers, when they are situated as here in a different soil and climate, and at six hundred miles from the scene of its operation, must be doubly inefficient. If it had been possible for Government at once to remove its regulations and restrictions, at the same time to fulfil its obligations, and then to ' *let alone*, ' the certain prosperity of the settlement would have followed as the inevitable consequence. But if Government will establish and manage upon their own system, they ought, in justice, not only to protect, but to assist in reality. We shall soon discover, however, the real meaning of this term, when we find the military post which protected the settlement suddenly withdrawn,—two memorials, signed by the whole party, not *answered*, but *replied to*, in a spirit decidedly inimical,—and a third, their last resort, complaining of restriction and its consequences, and begging for the lands promised them, which they had now been eight months expecting, not *replied to at all*.'

The tone and temper in which the earnest but most respectful memorials of these unfortunate settlers were replied to by Lord Charles Somerset, are characteristic of the true spirit of his administration. A man of honourable feeling—of common humanity—if he had determined to overturn (on whatever grounds) a project

of a personal or political rival, would have mitigated, as far as it was possible, the ruinous consequences to the innocent victims whose interests were involved in his change of policy;—at all events he would have abstained from ‘adding insult to injury.’ Not so Lord Charles. In their second memorial to him the settlers mention that ‘they have, with the greatest concern, been informed that it is the intention of Government to remove the military force stationed (by Sir R. Donkin expressly for their protection) at Fredericksburg, and, after stating how much they had been already weakened by the desertion and disaffection of their indentured servants, (in consequence of a departure by Government from the principle formerly promulgated by the acting Governor, on which discharges were to be given to the soldiers of the African Corps,) they implore *his Lordship* to reflect—

‘That they are situated fifty miles in advance of Graham’s Town, and at nearly an equal distance from Fort Wiltshire—at the same time so directly in front of the settlements in Albany, that these are secure while Fredericksburg is protected: That they have embarked all their means in forming a settlement in this advanced position, in full reliance upon the protection of Government:’ adding, ‘That as the circumstances which threaten its discontinuance are in no degree to be ascribed to their failure in any part of their engagements, memorialists trust that your Excellency will be pleased to continue the military force at Fredericksburg, until the security of the settlement is otherwise sufficiently ascertained.’

‘One would imagine,’ says one of the memorialists, in a letter now before me, ‘that the objects and arguments of this paper could not very easily be mistaken. The weakness of the settlement, and the causes of that weakness are first stated, as facts for which no remedy is proposed, but the very obvious one of continuing that protection to which they conceived themselves, in common with the other inhabitants of the colony, entitled. And their statement of their advanced position and favourable situation for the general defence, clearly points out *against whom* they wish to be defended.’

Yet the Governor, (pre-determined not to listen to their remonstrances,) chose *wilfully* to misinterpret their obvious meaning; and embraced the opportunity to humiliate and insult these brave and meritorious gentlemen, (several of them veterans, who had frequently been in battle for their country—a position where General Lord Charles Somerset has never yet been found.)—pretending to understand that they petitioned for the continuance of the military force to protect them from their own servants! The Military Secretary, replying in his Lordship’s name in an official letter, dated Government House, 25th January 1822, informs them that—

‘His Lordship is at a loss to conceive how a military force can effectually prevent the desertion of servants bound by contract,

unless it were such a force as would enable the placing a sentinel over every house.

‘His Lordship desires me to add,’ continues he, ‘that the small military force stationed on the frontier, is barely sufficient to defend it from the Caffers; and that it cannot be employed in defending masters from their servants whilst there are civil power and law to have recourse to.—I have, &c.

(Signed) ‘GEO. ROGERS, Military Sec.

‘To Capt. Sparkes, late R. A. Corps.’

‘The last clause of this military letter,’ observes the correspondent already quoted, ‘is a little singular, for if it replies to any thing it is to a request for protection from a numerous tribe of savages who are within 12 miles of the settlement, but at least 50 miles from the head-quarters of that force which we are here informed is intended for the defence of the frontier. And we are told that it cannot be employed for a purpose for which it was neither required nor wanted by us; but that to apply it to its legitimate use, it must be removed 50 miles into the rear! “Call ye this backing of your friends?”’

I have gone somewhat minutely into this transaction, in order to show distinctly the *animus* of the Chief Operator in destroying this settlement, not merely towards its projector, but towards the unfortunate gentlemen engaged in it. The remainder of the catastrophe may be briefly related. The officers, as a last resort, sent in another memorial, dated February 25, 1822; but this was not even replied to. Convinced at length that nothing was to be hoped for, either from the justice or humanity of the Governor—without land, countenance, or military protection, they had no choice but to abandon the settlement. Gathering together, therefore, the wreck of their property, they withdrew within the protection of the military posts. Two months afterwards a military patrol, passing through the deserted village, read the feelings of the refugees in an inscription traced on a mud wall—‘A town to let. For particulars, inquire at the Colonial Office.’ It was soon afterwards burned down by the Caffers.

The loss sustained by the individuals of the party was enormous, and in several cases involved the total ruin of their circumstances.

The treatment of the settlers in Albany comes now to be more particularly noticed, as it was systematically carried into effect by Lord Charles Somerset’s chosen Landdrost, Mr. Rivers, acting under his Lordship’s special and secret instructions.\*

The continuation of this subject must form the subject of another article, and be deferred till the succeeding Number.

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\* In connection with what has been stated by our correspondent respecting the abandonment of Fredericksburg, we observe, that in the Parliamentary papers respecting the case recently laid before the House

## SONG.\*

By Thomas Pringle, Esq., Author of the 'Autumnal Excursion,' and other Poems.

## GAELIC AIR—'O mo Mhairi laough.'

DEAREST love, believe me,  
Though all else depart,  
Nought shall e'er deceive thee  
In this faithful heart :  
Beauty may be blighted,  
Youth must pass away ;  
But the vows we plighted  
Ne'er shall know decay.

Tempests may assail us  
From Affliction's coast,  
Fortune's breeze may fail us  
When we need it most ;  
Fairest hopes may perish,  
Fairest friends may change,  
But the love we cherish,  
Nothing shall estrange.

Dreams of fame and grandeur  
End in bitter tears ;  
Love grows only fonder  
With the lapse of years :  
Time and change and trouble  
Weaker ties unbind,  
But the bands redouble  
True affection twined.

of Commons, Lord Charles Somerset stoutly denies the destruction of this settlement, as well as of Bathurst. 'No check,' he says, 'was given to the establishment at Fredericksburg ; but it ceased to exist (as it was natural to suppose it would do) from the very nature of its own composition, and was consequently gradually abandoned by all who have speculated there.'—(Parl. Papers, No. 371.)

The general Report of the Commissioners of Inquiry respecting the treatment of the settlers (dated 25th May 1825) has not yet been printed, but in another Report given in Parliamentary Papers (No. 371.), they observe, in reference to Fredericksburg, that 'The final abandonment of this station was the immediate consequence of withdrawing the military guard ; but representations had been antecedently made by the officers who were settled there, of the disappointments they had experienced in the delay that had occurred in putting them in possession of the lands that were stipulated to be granted to them. If the settlement had been encouraged by Lord Charles Somerset, we do not doubt that it would have succeeded.'

\* From the 'London Weekly Review.'

### SKETCH OF THE GOVERNMENT OF MENANGKABAU.

THE following hasty sketch of the constitution of the Menangkabau Government, has reference to the Padrie disturbances which have existed for some time in the interior of Sumatra. We have every reason to believe that the statement may be relied upon as authentic.

The people under the designation of Padries, are called by the Natives, Bangsa, or Norinchi, from the names of the two principal districts from which they originally spread themselves. Bangsa is the capital of Lintow, formerly called Soompoo Cootoos, (or sacred quarters,) the residence of the Tooanko of Passaman, as he is now called. Lintow is situated at the foot of Bookit Begomba, within the grand division of Looboo Agam. Norinchi is situated in Renna Leema Pooloo, at the foot of Goonoong Tella Mow (Caanang).

The four Tooankos of Allahan Panjang were men of low estate, and acted under the authority of the Tooanko of Norinchi. They subsequently became so powerful, that they broke off from the Tooanko, and set up for themselves. These are the three grand divisions of Padries: the Tooanko Passaman of Lintow,—the Tooanko Norinchi of Looboo Agam,—and the Allahan Panjang Tooankos.

The title of Tooanko, (My Lord,) so common at Nattal and thereabouts, that it is bestowed upon every petty Raja, is at Menangkabau reserved solely for men of learning and ability, whether they be Rajas or not, and an unlearned Raja is seldom tolerated. When such an occurrence happens, he generally falls as a passive tool into the hands of some cunning priest.

At Cota Tenga, in Looboo Agam, there resided a learned and famed priest, since dead, known generally as Tooanko Cota Tenga. He became so celebrated, that he had the instructing of a vast number of individuals, many of whom, at this day, fill the chief posts in the interior. The present Tooanko Passaman, then but a commoner, and the father of the present Tooanko of Norinchi, were his scholars; and a friendship between them commenced upon this basis, and continued not only during the life of the Tooanko, but with his son, the present Tooanko of Norinchi. So many individuals trained under one master naturally imbibed many similar prejudices and opinions, and a literary intercourse, nowise tending to the safety of the general liberty, appears most likely to have been carried on. The Tooanko of Passaman, yet a commoner, but shrewd and intelligent, married into the royal family. By the natural decrease of some of the individuals of this family, and by murderous treason, he found himself elevated to a station where decision and action were eminently and immediately necessary. By his emis-



saries and his arms, and by the means of his friends, he trampled down opposition, and became the head of a league not less unexampled in Sumatran history, than astonishing in its effects; whether as to the nature of its conquests, or the intelligence by which such numerous conquests are held under the yoke.

A sketch of Menangkabau will here be interesting, and is indeed necessary. Menangkabau, in its most extensive sense, includes Tanna Darratan, Looboo Agam, and Renna Leema Pooloo, and as such it will be here spoken of. Pareeangan, situated at the foot of the great Volcano, (Goonoong Berappee), was the original seat of the royal family. They subsequently removed to Paggar Rooyoong, or Battang Selo.

Paggar Rooyoong (sometimes called Ballie Jango, this being the proper name of the Campong, while the other means the River Selo) is situated in Sooroowassa, at the foot of Bookit Bagombah, on the opposite side to Lintow; the chief is called Raja Allam. His proper title is Maha Raja de Raja, the name of the original founder of the monarchy, and supposed to be a great-grandson of Mohammed. The title is, however, too sacred for common use. The Raja Allam, though brought up in all the learning of the age, generally gave way to his propensities of gambling and smoking. He was seldom called upon to exercise his authority, as this was vested in his ministers, as hereunder enumerated. The chiefs immediately under the Raja Allam, were Eang Duo Selo. These were Raja Addat, and Raja Eoadat; the former deciding in cases touching the law and tradition, the latter presiding in all matters of sacred appeal. They originally formed members of the Paggar Rooyoong house, and though by length of time relationship cannot be traced, yet the dependence is claimed and admitted respectively; and as the Raja Allam can only marry in their families, and those of the Eang Ampat Selo, a proper understanding and subordination still exist.

The Eang Duo Selo resided at Soompoo Coodoo, now called Lintow, of which Bangsa and Boocho are the principal cities.

Next in rank are the Eang Ampat Selo, whose origin is altogether fabulous. Their names, or titles, are Bandhara of Soongye Taru, Mangcodoom of Si Maneca, Endomo of Sooroowassa, and Caldea of Padang Gunteang. Of these four, the Bandhara is the principal chief, and is never called upon for personal service when the Raja Allam moves; while the remaining three, distinguished by the denomination of Eang Teega Selo, accompany and attend upon the Raja Allam in all his processions or travels. Each of these four possesses a large extent of territory, and a numerous body of dependents.

The grand assembly is formed of the six Selo, and all matters, judicial or political, are settled by them. The Duo Silo have casting

votes, according as the case may be secular or ecclesiastical. A final reference can be made, when necessary, to the Raja Allam.

The last Raja Allam had two sons, Raja Coondoo of Bookit Bagomba; and Raja Bawang of Soorowassa; they were put to death by the Tooanko Passaman, leaving each of them a son. The son of Raja Coondo was likewise murdered by the same hand. The son of Raja Bawang fled to the Dutch, who afterwards took him back to Soorowassa.

The last Raja Addat died childless, about twenty-five years ago, and the title, in consequence, was taken by the Raja Ebaddat. He who bore this double title died about ten years ago, leaving a son, yet a junior, who should rightfully succeed to both titles. It was a daughter of this last Raja Ebaddat whom the Tooanko of Passaman married. The Tooanko has changed the name of Soomboo Coodoos to Lintow, and assumes all the rights of the consolidated offices of Raja Addat and Raja Ebaddat. He has the son of the latter in his possession, and he is of course Pootih.\* The Tooan Raja Gadis has not been molested by the Tooanko. She, of her free will, is Pootih; and being too sacred for marriage, added to her advanced age, and her general opinions chiming in with the Pootihs, she has been left in peace. She is considered as the aunt of the last Raja Allam.

The Eang Ampat Silo are Pootih. The Teega Selo are yet juniors; but Raja Bandhara is of age, and bears the title of Pomoncha Allam. To him have been confided, it is said, all the regalia, by the unanimous voice of the chiefs. Looboo Agam is now under the general control of the Tooanko of Norinchi. Renna Deema Pooloo is under its various chiefs; and Lintow and Soorowassa under the Tooanko Passaman. The Tooanko of Norinchi has for some time past lived peaceably; and Itams and Pootihs are united in Looboo Agam.

The Padries militant forbid gambling, liquors, opium, tobacco, and sirih; and a variety of personal observances as to the colour and wearing of the clothes, and to the posture and carriage of the body, are insisted upon. They enforce all the observances required in the Koran, and hence praying cannot be dispensed with in any one.

Trade and agriculture are encouraged. The conquered Rajas are despised if not learned and intelligent; and if they resist they are put to death. Having once fixed upon the chief, and received a tax from the individuals of the country in token of subjection, the country is left in peace. They are guided by the Koran in all judicial matters, and hence it is that in the interior many individuals

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\* Pootih means white, and is applied by the Padries to all persons submitting to their doctrines; while they designate others as *Itam*, or black.

are found maimed, having lost a limb for robbery or other misdemeanour. There are few or no written histories. Each district, or subdivision, has its own mosque. The priests are not distinguished by titles, and the most intelligent is required to Batcha K'toba.

The houses in the interior are plank or bamboo, and covered with ijoo, or attap, or lallang, according to the ability of the individual.

The Tooanko Passaman has fortified Bookit Begomba, which has a valley on it. This valley is surmounted by a flying bridge of bamboos, rendering a ready communication with either part; and if the Tooanko be forced from one of his holds, he can cut away the bridge, and render the communication with his second stand impracticable.—*Malacca Observer*.

## STANZAS.

(Written at Sea, on board the Asia, July 6, 1826.)

WHEN Love had left her magic bower,  
When Fame's delusive dreams were fled,  
When Passion had resign'd her power,  
And Hope's bright flame had vanished—  
In other climes I sought to roam,  
And chase away the fiend Ennui;  
The stars my guide—the world my home,  
My resting-place the dark blue sea!

Of Pleasure's fane, I left the hall,  
Nor cast behind one wistful gaze—  
Could revelry or festival  
Dispel the thoughts of happier days?  
Days when my heart was young, and love  
And hope, which none e'er wish to sever—  
To weave their wreath, together strove—  
Oh, halcyon days! gone by for ever!

But Hope once o'er, Love spreads his sails,  
And swiftly steers his bark away;  
His sister fled—then what avails  
The little god alone to stay?  
Together nursed—together born—  
They only prosper when united;  
If of fond Hope young Love be shorn,  
His spell is broke, his blossom blighted.

When both are crush'd, then what is left  
To man but dark despair beside?  
Of mind, of life, perchance bereft—  
The maniac or the suicide?  
When love or hope, best boons of heav'n,  
From Man on earth are torn away,  
The welcome grave in lieu is given,  
And dust to dust—there let him lay!

P. M. W.

## ON THE NOBILITY OF THE SKIN.

## CHAP. VII.

*Continuation of the same Subject. Influence of Literary Men upon the Prejudice concerning the Nobility of the Skin.*

*(Concluded from our last.)*

WHEN we call to the aid of injured Africa men chosen to be teachers of the Gospel, and men appointed to be the organs of civil law, we invoke both heaven and earth to defend our cause; and yet our hopes are neither so extensive, nor so lofty as such premises might lead to conclude.

Perhaps there are not among us two classes of men more depraved than place-men and men of letters. We are, of course, ready to admit many exceptions; but among bishops, priests, senators, peers, generals, ministers, prefects, magistrates, men of letters, men of science, artists, &c., how many have displayed that proteous property of assuming all shapes, professing all doctrines, ranging themselves under all banners, and, in short, submitting to every transformation which might gain their favour with the government of the day! They have been compared to Janus, but without similitude: Janus had but two faces; they can assume fifty. Political adulation is one of the stains upon the old world. The bench and the pulpit are prophaned by flattery. The arts of the courtier seat him in the academic chair.

Two societies of Friends to Negroes, composed of men in office, and literary men, have existed in France; they have both languished to decay, and are no more. Their premature decease may be attributed, in the first place, to the mobility of the French character, which now shows itself to deserve what Cæsar said of the Gauls nineteen centuries ago.\* Good and evil are, among us, rendered subservient to the mode and fashion of the day! The most meritorious exertions are sometimes the fruit of a momentary exaltation, a feverish impulse of enthusiasm. Secondly, the societies I have mentioned have had their deserters, who have now enlisted under the same banner with a multitude of public functionaries and writers, apostates from liberty. Their sentiments, their measures, their connexions, their writings, all are subservient to their individual interest. Error or truth, vice or virtue, injustice or equity, little care they: the question is simply to discover how far their interest may be affected by their choice of a party. Esau sold his birth-right for a mess of lentil-broth. Have we not millions who do like

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\* See 'Julii Cæsar, Commentar., de Bello Gallico,' l. 4, c. 3, 6.

Esau? Is not conscience become a marketable commodity? Is not the silence of some, the voice of others, bought and sold by the journalists of authority? Is there any ministry in Europe which has not at its command a diurnal organ of imposture, the breath of whose trumpet has power to wither the most solid reputation? Short is the list of those men of real integrity who seek not to veil meanness under the name of prudence, but without compromise or time serving, detect the abuses of power, and have been guided by one and the same principle of justice, under every political aspect.

In all ages and in all countries, poets have been apt to be servile. The judicious and correct Boileau was not ashamed to address to Louis XIV. the absurd threat of *ceasing to write* if the king did not *cease to conquer*! All Parnassus was to be in ecstasies at the sight of the monarch! Even in our times, other potentates have seen at their feet a servile tribe of public functionaries, authors, and poets above all. Like insects dancing in the beam, they swarm around the prosperous and the powerful. If pensions, titles, ribbands, and decorations, were to be obtained by writing in the cause of slavery and misfortune, how rapidly would the venal pens of every opinion be called into action! But tears of gratitude and blessings are all the afflicted have to offer.

A recent event seems indeed to have stimulated the poetic genius of some of our dealers in rhyme: the recognition of Hayti has called forth some well-turned lines; but the merit of these effusions is tarnished by the adulation which runs through them; so that the ostensible object seems to be secondary in the view of the writer.

Pope and Joel Barlow have had, as poets, rivals who have equalled, and even surpassed them; but the authors of the 'Dunciad' and the 'Columbiad' never sullied their pens by the flattery which distils copiously from those of their successors. Barlow, as defender of the negroes, is honourably associated on the English Parnassus with illustrious names, whose disinterested talent has pleaded the same cause.

The obligation to reciprocal good offices, which binds together all the members of the human race, and forms the first link of the *holy alliance of the people*, imposes upon each individual the duty of concurring to the welfare of his fellow-beings, by his words, his actions, and his example. All owe their tribute to society, and those who, resisting the dictates of conscience, obey no other moral code than the calculations of egotism, are thereby criminal, both in the eyes of God and man. How much deeper the guilt of those who, in order to possess or to retain places and emoluments, sacrifice the interests of their contemporaries and posterity!

Such, it will be said, are not the characteristics of the generation now advancing to manhood, and that which has already reached adolescence. The purity of their principles has not yet been sullied

by caresses, promises, or threats; but will they always be able to defend themselves against the seductions of artifice? For them the sphere of knowledge has been extended; but when the old abuses shall spring up afresh on every side, and mingle in rank exuberance with new violations of moral right, will they possess firmness enough to trample them down with irrepressible energy? Death is every day busy in thinning the ranks of the veteran defenders of Liberty. To you, young *athletæ*, who are beginning your career, devolves the honourable task of completing their labours.

Degraded beings, Christians in name, but renegades in fact, are now conspiring in Europe to aid the Crescent against the Cross, and favour the enslavement of white captives, while the negro trade continues in Africa. Civilization does but begin to dawn in that part of the world. To liberate slaves, to diffuse among them, and among those who are already free, the benefits of education, industry, the love of order, of virtue, and, above all, of piety, without which there is no security for virtue: such are projects worthy to stimulate the zeal of philanthropists.

Among the political questions which have for several years engaged the public mind, none has excited such virulent debate as that of colonial slavery.

The abolitionists have had to struggle unceasingly against the opposition of men exasperated by the vilest passions. Unceasingly have they been pursued by calumny and hatred. If such a prospect causes you alarm, you are not worthy to support such a glorious cause.

Those who cultivate science, literature, or the fine arts, are exposed to the jealousy of their competitors; but comparatively slight are the evils resulting from it. Not such those which assail him who labours to eradicate abuses grafted on the tenacious stem of avarice or pride. Yet were you to sink in the attempt, even defeat would be glorious. How great then must be the merit to overcome such obstacles!

Nor is that all. Were we to consume our lives in efforts for the welfare of man, is it from his thankfulness that we must expect our reward? We must be prepared even to meet with the reverse. Alas! do we not know that the great majority is wicked? Deceitful, hypocritical, ungrateful because cowardly, and cowardly from being ungrateful, these two vices being reciprocally the cause and effect of each other. Man is a weak and imperfect being, whom we are to serve, but not to imitate; for the laws of our actions, we are to seek a higher source.

The Divine Redeemer was aware by prescience, that of the ten lepers whom he healed, one only would return to give thanks, and glorify him. His beneficent charity was not abridged by that foreknowledge; and all alike were healed. The circle of good works

would be too contracted were we to confer benefits on those alone who are deserving of them. Of those who perform deeds of charity in the expectation of being repaid by the fruits of human praise and gratitude, it has been said by Him who is truth itself, *Verily they have their reward*. It is our duty to edify others by our good works; but we are sinful, if, to stimulate us, we require to have other witness than the eye of Him who sees all.

To study mankind is not usually the way to raise our esteem for human nature. When we arrive at the close of a long life, spent in the researches which bring us to this melancholy conclusion, it is consoling to view the near approach of that period when the cares and disquietudes of life shall fade from our view; but let us bear in mind the precepts of Him *who made his sun to shine upon the just and the unjust*. Let us, when confident that we are in the right, by no means *weary in well-doing*, and cheer ourselves by the consoling certainty, that, in all countries, and among all nations, purity of soul exists; and that true *NOBILITY*, that is, virtue, may be the portion of men of *every colour*.

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#### ACCOUNT OF MUNIPORE.

[In a Letter to the Editor of the 'Calcutta Government Gazette.']

SIR,—Having read with much interest what has lately appeared in your paper regarding the 'terra incognita,' which the events of the late war have opened to our research, and feeling assured that Munipore is equally a subject of interest with the other provinces lately forming part of the Burman Empire, I have ventured to give the following account, which I hope will prove acceptable :

The valley of Munipore extends from north to south about sixty miles, and is nearly thirty in breadth, from east to west; it is completely surrounded by mountains, rising from 1500 to 2500 feet above the valley, in which, at considerable intervals, there are several insulated hills; it is otherwise a perfect level, if I may except an almost imperceptible declination from both sides to the centre, where a chain of lakes and swamps extends from the south, about two-thirds of the whole length towards the north.

The most southern of the chain is a lake of considerable extent, about ten miles by seven, and is studded with islands of nearly the same appearance as the hills which rise from the plain.

The whole valley is perfectly clear of forest; the only trees are those in the few villages that are now inhabited, and those which mark the sites of the many which have been depopulated by the Burmahs, the ruthless spoilers of this once happy, but still beautiful country. Often have I allowed my imagination to re-people the deserted villages with their scattered inhabitants, and to cover

with flocks and herds this ever-green and mountain-girt vale, and as often has it called to my memory the happy valley of Rasselas. Should this country continue to enjoy the support and protection of the British Government, there is every prospect of these flights of my fancy being in a great measure realized. The cattle which were taken from the Burmahs have afforded great assistance in bringing the land into cultivation, which, together with the great industry of the people, will ensure plenty for the numbers who are expected to return next year.

Although in features the Muniporees strongly resemble the people to the eastward, yet in religion they assimilate with those of the west, and differ from all around them. They are Hindoos, and mostly Rajpoots. Surrounded as they are by rude tribes, differing from them as much in manners as in religion, their origin becomes a question of as much interest as it is difficult to solve. As is ever the case when such is involved in uncertainty, their account is fabulous; they say they are descended from a Hindoo deity; but I should dispute their claim to so high an origin, and conceive it very probable that the demi-god was no other than some wanderer from Hindoostan, who has immortalized himself by converting them to the religion of Brahma, and introducing some of the arts of social life, with which they, then a savage people, were unacquainted.

The purity of the atmosphere seems to have given an elasticity to the spirits of the inhabitants, who are certainly the most cheerful people I ever met with. Their amusements and exercises are of a nature characteristic of their lively temperament; they play with great dexterity, both on foot and on horseback, at a game which in Scotland is called 'shinty,' and frequently practice leaping, and the putting-stone.

The females have all the freedom which the fair sex enjoy in Europe, and even take a much more prominent share in the active duties of life; the whole trade of the country is in the hands of these fair merchants, by whom the bazaars are exclusively kept.

I should have told you the little I yet know of the surrounding hill tribes, but I fear I have already trespassed too far on your patience. Any account of the Nagahs, to the west, would be perfectly superfluous, after the very able description which has already appeared in your paper.

I must, however, tell you, that the climate is delightfully cool; the oak, peach, pine, raspberry, and wild rose, with many other plants, natives of the temperate zone, are found here in numbers.

It rained during the whole month of March, but since then we have only had slight and refreshing showers.



THEORETICAL AND PRACTICAL VIEW OF THE LAW OF LIBEL IN  
ENGLAND AND IN INDIA.

No. XV.

*Practical View of the Law of Libel in England.*

IN 1817, on three successive days, (December 17, 18, and 19,) William Hone was *thrice* tried on informations filed by the Attorney-General, (Sir Samuel Shepherd,) and acquitted by three special juries. The parodies for which Mr. Hone was prosecuted were entitled, 'The late John Wilkes's Catechism of a Ministerial Member;' 'The Political Litany;' and 'The Sinecurist's Creed,' which was a parody on the Athanasian Creed. The first trial took place before Mr. Justice Abbott; the second and third before Lord Ellenborough.

The argument of the Attorney-General on these several trials was in substance, that Christianity was part of the Common Law of England, and that the obvious and necessary effect of these parodies was to bring that religion into contempt. The defendant, therefore, as the publisher of them, was guilty of most impious and profane libels. On the other hand, Mr. Hone contended, that the parodies were written and published solely for political purposes, and not with any intention of exciting impiety and degrading the Christian religion. The Jury, he observed, and not the Attorney-General or the Judge, were to decide on what was, or was not, libel; and he called upon them to return a verdict, *not* on the *effect* which the publication of these parodies might have produced out of doors, but on the *intention* with which they were written and published. He then proceeded to show, that works of a similar nature had been published in all ages; that Martin Luther, and some of the most eminent divines; that Lord Somers, Mr. Burke, and several of our most distinguished lawyers and statesmen; that one of the present Members of the Cabinet, one of his prosecutors, (the Right Hon. George Canning,) had written and published parodies on various parts of the Scriptures, not with an impious and profane intention, but to serve their own particular views. None of these persons had been ever prosecuted. With respect to himself, he should call evidence to prove, that, *long before he was prosecuted*, he had stopped the sale of these parodies, and had even refused a guinea for a copy of one of them. This he had done, not from any doubt at the time about the legality of such publications, but to satisfy the scruples of some respectable persons who had objected to their nature and tendency. Under all these circumstances, following as he had only done, the great examples which had been set him upon this subject; having, the moment he was convinced of the impropriety of such works, withdrawn them from circulation, could he be said to be guilty of the crime alleged against him? Could the Jury, looking

at the work itself, and taking into consideration the circumstances connected with it, say that it was the *intention* of the defendant *not* to ridicule Ministerial Members, but to excite impiety and bring religion into contempt? The verdicts of acquittal were received with the loudest acclamations, and a sum of nearly 3000*l.* was subsequently raised by public subscription, for the purpose of re-establishing Mr. Hone in the business of a bookseller.

For publishing the second and third of the above-mentioned parodies, James Williams, a stationer at Portsea, who had suffered judgment to go by default, was sentenced, for the former, to be imprisoned for eight months, to pay a fine of 100*l.*, and to give security for his good behaviour for five years, himself in 300*l.*, and two sureties in 150*l.* each. For the latter, to be imprisoned for four months.

The trials of Hone were rendered memorable by several circumstances,—the talent, spirit, and presence of mind displayed by the defendant; the absurd pertinacity of the Attorney-General; the repeated checks and interruptions given to the course of the defence by both the Judges, but especially by the impatience and choler of Lord Ellenborough, and the manly generosity and firmness of the special juries. In the first trial, Mr. Hone was interrupted upwards of sixteen times, and nearly as often on each of the other trials.

The following is a specimen of Lord Ellenborough's interruptions on the second trial:

‘**LORD ELLENBOROUGH.**—It is *my* decided purpose *not* to receive this in evidence, (a parody,) and therefore *you may use your discretion whether you shall dwell further upon a matter of evidence which I declare judicially to be inadmissible.*’ [But which, nevertheless, weighed much with the *jury*!] ‘You may go on, and exercise your own discretion,’ &c.

Mr. Hone said he could not defend himself without reference to former unprosecuted parodies; and if he was not allowed to read them, he declared himself ready to go with the tipstaff to prison.

‘**LORD ELLENBOROUGH.**—If the publication has a *tendency* to excite impiety, &c., it is a libel.’

‘**MR. HONE.**—That is *his Lordship's* opinion!’

‘**LORD ELLENBOROUGH.**—You might as well detail points agitated in some Utopian system as this. Whether informations are right or not, do you not see that the law so stands? I only warn you of what are not important points for you; but if you think that I ought to attend to them, I will do so.’

‘**MR. HONE.**—Some unhappy beings have been compelled to travel 200 miles to plead to informations for *my* parodies; and some have been in solitary confinement for nine weeks, with 64 pounds weight of fetters on them.’

‘**LORD ELLENBOROUGH.**—If you have not witnesses ready to

prove this, (which would be immaterial if you could,) you are only wasting time.'

'MR. HONE.—Wasting time, my Lord! I feel the grievance of which I complain. I am to be tried, not you. I am upon my trial by those gentlemen of the jury.'

Mr. Hone complained of calumnies against himself in the newspapers, and some published that morning.

'LORD ELLENBOROUGH.—What have I to do with libels published against you? &c. Nobody can here read that newspaper you speak of. What have I or the jury to do with'——

'MR. HONE.—My Lord! my Lord! It is I that am on my trial, not your Lordship. I have to defend myself, not your Lordship.'

Long continued acclamations here interrupted the proceedings of the Court. Lord Ellenborough ordered the officer to apprehend some individual: 'Open your eyes and see; stretch out and seize,' &c. Mr. Hone recurred to the mention of unjust statements in the newspapers.

'LORD ELLENBOROUGH.—You cannot introduce it as a *hash* into your speech; you might have complained of it upon affidavit before the trial began,' &c. 'Unless there be something advanced to prove them (other parodies) to be perfectly innocent; unless something be shown as a standard of their innocence, I shall not attend to them, for they do not mitigate your offence.'

When Mr. Hone was reading a song contained in the Rev. Mark Noble's continuation of Grainger's 'Biographical History of England,'

'LORD ELLENBOROUGH.—This is such mischievous matter that I shall prohibit it being read,' &c. 'I will not hear it. It would deserve severe punishment if it were a modern publication.'

However, Mr. Hone struggled through it. When Mr. Hone said that Dr. Paley had preached before Mr. Pitt on the text: 'Here is a lad that hath five loaves and two small fishes to divide; but what are they among so many?'

'LORD ELLENBOROUGH.—No, he did not! I'll correct your fact; there was never any such sermon preached.'

'MR. HONE.—My Lord, was there no such text mentioned?'

'LORD ELLENBOROUGH.—*I can't enter into controversy. It was hardly worth interrupting you to give you this denial of your fact!* There was some such anecdote, and I am very sorry for it; but there was no sermon preached.'

When he was going to read a parody on Hamlet's soliloquy, to show that the humour of it did not tend to bring the original into contempt,

'LORD ELLENBOROUGH.—Now, what has that to do with your case? It is a parody, as you say, on some part of the play of

*Hamlet*, and not on the Scriptures. It is obvious enough that it can have no reference to your case ; and the jury, as sensible men, must see that it has not. They should not have their time taken up in this manner.'

On the *third* trial, when Mr. Hone expressed a wish for five minutes time to collect his thoughts, Lord Ellenborough said he might have it *if he made the request* ; but Mr. Hone went on. When he alluded to the charge given by Lord Ellenborough on the preceding day,

' LORD ELLENBOROUGH.—I cannot sit here to be attacked.'

When he was reading Mr. Christian's exposition of Mr. Fox's Libel Act,

' LORD ELLENBOROUGH.—You are mis-stating the statute.'

' Mr. HONE.—I beg your Lordship's pardon. You are interrupting me, my Lord. I was not quoting the statute ; I was reading, as the gentlemen of the jury know, to whom I am addressing myself, the exposition of Professor Christian upon the words of—'

' LORD ELLENBOROUGH.—The words of the statute are " shall or may give his opinion."'

' Mr. HONE.—I shall read the statute presently.'

' LORD ELLENBOROUGH.—Well, go on.'

When he said that no counsel had sufficient courage to defend him, to withstand the browbeating of Lord Ellenborough, and to incur the risk of losing the ear of the Court.

' ATTORNEY-GENERAL.—I cannot sit quietly,' &c.

' LORD ELLENBOROUGH.—Perhaps, Mr. Attorney-General, you might have interposed your opinion *sooner* ! but you have heard the sort of attack which was made upon me. I think the best course will be, to let the *thing* blow over us !

When he said that other parodies had been overlooked,

' LORD ELLENBOROUGH.—Every one of the parodies the defendant has quoted were as *prosecutable* as that with which he now stands charged.'

' Mr. HONE.—But *why* were they not prosecuted ? Where were the Attorneys-General of those days ?' &c.

When he adverted to Lord Ellenborough's charge of the day before,

' Lord ELLENBOROUGH.—I might have used *some such* words,' &c.

When he spoke of Lord Ellenborough's father's \* opinion of the Athanasian Creed,

' Lord ELLENBOROUGH.—For common delicacy, forbear.

' Mr. HONE.—O, my Lord, I shall most certainly !'

\* Dr. Law, Bishop of Carlisle.

Lord Ellenborough survived these trials only a few months. It was commonly said that they had killed him!

Sir Samuel Romilly made the following observations on the case of Mr. Hone in his speech of January 27, 1818 :

‘The publications for the suppression of which the proceedings against him were said to have been instituted, compose a part of the evidence on which the liberties of the country have been suspended. The House will remember the horror expressed by the late Attorney-General (Sir William Garrow) at receiving one of these parodies ; how monstrously blasphemous and profane he declared it to be ; how, on being called on to read it, *he protested he could never be guilty of any thing so abominable as to read such a flagitious libel in a British House of Commons ; and that he would seal it up and lay it on the table, and if any one chose to break the seal, the consequence should be on his head !* Yet, notwithstanding all this delicacy and regard for the public morals expressed by the learned gentleman, his successor has proceeded to multiply copies of these parodies by thousands, and to scatter them in profusion over all parts of the country. Before he commenced his prosecutions, they had disappeared ; they had been suppressed by their author, and withdrawn altogether from circulation. It was stated by a witness on the trial of Mr. Hone, that he could not procure a copy by the most diligent search ; and that a guinea was offered in vain for a work which had been originally published at twopence. These parodies, therefore, had been withdrawn from the public notice—had entirely disappeared, when my hon. and learned friend, in his anxious endeavours to protect religion and morality, thought proper to publish a new edition of them. Under the pretence of preventing their publication, he has given them a permanent place in the history of the country—he has made them a part of its judicial annals—he has given occasion to the editor to collect all the parodies which had been published in former ages—to print them in a convenient little volume, and to hand them down to posterity. And why has this been done ? Why were the prosecutions of Mr. Hone persisted in, if, according to the language held to the prisoners at Lancaster, the evil sought to be suppressed was previously at an end, and the state of the country had become so tranquil and so satisfactory as to enable the Administration to exercise with safety the royal clemency ? But the clemency, for which the officers of the Crown have been so desirous to take credit, is reserved only for those whom they see no chance of convicting.’

In 1820, Gilbert M’Leod, Editor and Printer of a Glasgow newspaper entitled ‘The Spirit of the Union,’ was tried before the High Court of Justiciary, Edinburgh, for (constructive) sedition, evinced by libels of the nature then and since denominated ‘radical.’

The Jury returned a verdict of *Guilty*, with recommendation to

the lenity of the Court. The Court overruled the distinction taken by the counsel for the prisoner between verbal and actual sedition, and also between banishment and transportation, and sentenced the prisoner to be *transported for five years*.

The trial of Mr. Williams, Editor of the 'Durham Chronicle,' at Durham, in 1822, for a libel on the clergy, (the last case we shall notice,) is interesting, not from any novelty in its circumstances, but from the great talents of the counsel employed, and the more than professional zeal with which they were exerted. When such men as Brougham and Scarlett are opposed to each other in a case of libel, the common places of the law do not 'come mended from their tongues;' on the contrary, they appear then more contemptible and revolting when contrasted with their irrepressible appeals to the reason of the jury, and their unworthy attempts, by means of the ambiguities of language, to conceal the irreconcilable contrariety between the law which controls alike prosecutor, defendant, judge, and jury, and those arguments by which the one seeks to draw down on the defendant, and the other to avert from him, temporal penalties for the expression of unfavourable opinions of the clergy. It is really lamentable that men so highly gifted can be content from year to year to play fast and loose with the harsh and tyrannous maxims of inveterate law, instead of endeavouring to divest it of those marks of its barbarous origin, those *vestigia ruris*, which so slowly yield to the humanizing influence of time. The precarious temperaments by which trial by jury 'hinders that severe letter from crushing us,' are not merely infractions of the letter of the law, but, in ninety-nine cases out of a hundred, direct and positive violations of its purport, intent, and spirit, so that almost all who escape destruction are illegally rescued from a lawful doom.

'Mr. SCARLETT.—Gentlemen, allow me to say, that if the language used had been of that proper sort which belongs to fair discussion, I believe no man of the Church of England would think it worth while to take any notice of it. If he had found any set of men backward in doing what they were called upon to do, *he might have made what remarks he pleased upon such conduct*; or if any single clergyman had neglected what might be thought his duty, or had been charged with the neglect of it, *it would be impossible to blame any remarks upon such conduct*; but it is not justifiable, it is not to be endured, that the whole body of the clergy, and the whole Established Church, should be attacked and brought into contempt, because the clergy here were not loud in their grief, being, perhaps, more sincere, and because the bells were not rung on occasion of the Queen's death, *but suppressed their emotions*!'

If there had been any foundation for the latitude of toleration here asserted to the law, it must have comprehended the case then before the Court; for Mr. Williams found a 'set of men backward in doing what they were called on to do,' and 'made what remarks he

pleased upon their conduct.' But this degree of latitude is fallaciously pretended to be enjoyed for the purpose of charging Mr. Williams with having exceeded the liberal scope allowed to him, by attacking and bringing into contempt the whole body of the clergy. If Mr. Williams had done so, it must have been because he had found the great majority of them backward in the discharge of their duties; for Mr. Scarlett's statement of the liberty of the press provides impunity not merely for the utmost desirable, but the utmost possible range of animadversion and invective. It makes the press that 'chartered libertine' which it ought to be, because then only truth and falsehood wage an equal war. What consistency is there, then, between his saying that Mr. Williams might attack individuals, and sets of men, but that it was unjustifiable, and not to be endured, that he should attack the whole? As reasonable and more plausible would it have been, to say that general censure might be scattered over the whole body as coming short of their duties, and chilling the people's love for the establishment, but that it could not be endured that reproach should be directed against individuals and sets of men. Was it that Mr. Scarlett thought it would be easier to justify the conduct of the whole body than of its subdivisions? and that to insist on the defendant's comments being levelled at the whole church, would tend more to inflame the jury with ideas of revolutionary violence and sacrilegious pillage? It so happened, however, that Mr. Williams was accused of libelling the united Church of England and Ireland, and more especially the Clergy of Durham; and the Jury, after a contest of nearly six hours, found him guilty of the latter part of the charge only; that is, they found him guilty of what Mr. Scarlett had said might be done without offence, and acquitted him of what he said was unjustifiable and not to be endured!

'MR. SCARLETT.—Who is the writer of this? Is he a member of the Church? Is he aware that it is by law established, and must, *therefore*, be entitled to respect? Her power will soon be shaken, if you destroy the veneration and respect *which belong to her*. Or does he belong to the Kirk of Scotland?' &c. 'If a name so odious belongs to the Established Church of England, I agree with Mr. Williams that it is full time it should be put down and abolished. If their character is so offensive, they ought not to exist, and they cannot long exist in this country, where establishments are governed by public opinion.'

He agrees with Mr. Williams as to the conclusion; but when Mr. Williams endeavours to establish his premises, Mr. Scarlett resumes his 'thunder,' wherewith to overwhelm his opponent. He proposes a conference, but demands implicit assent to all his own assertions, on pain of imprisonment. He admits that establishments ought to be governed by public opinion, but every man must ascertain his neighbour's opinion *by intuition*, for it is unsafe

to avow and promulgate an adverse opinion until the whole society, or a vast majority of it, are hostile to the establishment; until public opinion is decidedly formed, the minority must not attempt to instruct and lead it, but where all defence of the existing institution has ceased, *then* it is justifiable, and may be endured, that the majority shall flourish their weapons, and slay the slain, and exhort each other to be steadfast and immovable in their principles, and in the chastisement of every rebellious imagination.

'If a vast many of the people,' said Mr. Scarlett, more explicitly, 'are attached to their own religion, and to the Established Church, and if we are not to take their feelings from this correct judge—as many do their political opinions, and religious too, from newspapers—**THEN THIS STATEMENT IS A LIBEL.** I think a different sentiment prevails in every class of this glorious community. That is, I think the majority is on our side; and every majority has a legal right and natural inclination to oppress the non-conforming minority.'

'MR. BROUGHAM.—Gentlemen, he has called my client, "that unhappy man." Unhappy, indeed, but not the only unhappy man, if the doctrine of my learned friend receives the sanction of your verdict, for such a verdict, I fearlessly tell you, would be *the utter destruction of the liberties of us all.*

Upon this we would adjure Mr. Brougham to declare, not fearlessly, but conscientiously, and with that solemn regard to accuracy that the importance of the subject demands, whether the doctrine of his learned friend was not strictly consonant to law, and whether our liberties *have been* utterly destroyed by the sanction which that doctrine *did* receive both from the Judge who presided (Mr. Baron Wood) and from the verdict of the jury? A jury may give an erroneous or corrupt verdict, and thereby inflict a limited portion of mischief; but nothing less than vices and defects in the law itself *can* endanger our liberties; so that if Mr. Brougham did sincerely, and with a well-grounded fearlessness of the charge of inconsistency, think a law under which a verdict against Mr. Williams could be obtained (as hundreds of such verdicts have been and will be obtained) destructive of liberty, he was bound from that moment to consider it a sacred duty to labour, in season and out of season, to procure the repeal of a law which is assuredly incompatible with liberty; and until that repeal take place, to extenuate nothing in stating the law to the jury, and especially to abstain from misrepresenting it, and from declaiming as if there was nothing to object to its principle, nothing to wish changed in its enactments.

'MR. BROUGHAM.—The Church is not more established, nor more protected, than those civil institutions, offices, and office-bearers, each of which is recognized and favoured as much as the Church; but I never yet have heard, and I trust I never shall, least of all do I expect the lesson which your verdict will this day



read, to hear that those officers and office-bearers, and all those institutions, sacred and secular, and the conduct of all, whether laymen or priests, who administer them, are not the fair subjects of open, untrammelled, manly, zealous, and even vehement discussion as long as this country pretends to liberty, and prides herself in the possession of a free press—open, untrammelled, manly, zealous, and even vehement discussion.'

Would such a measure of liberty, guarded and fenced by so many sounding words, have sufficed to protect Mr. Williams, and stop the mouth of his prosecutor? Not in the least. Mr. Scarlett himself admitted that public officers in church and state were subjects of fair discussion, and that when they failed in their duty, a public writer might make what remarks he pleased on their conduct; and yet if he pleased to wound their feelings by charging them, however truly, with want of ability, want of integrity, or want of right principles and inclinations, he has exceeded the bounds of 'fair, open, untrammelled discussion,' tolerated by the laws of a country which yet pretends to liberty, and prides herself on the possession of a free press, merely because there is *free access* to the use of the mechanical instrument.

'Mr. BROUGHAM.—If the liberty of the press, and all we enjoy under it, is to be sacrificed, at least let it not be this day. Leave it to be destroyed by arbitrary princes—by bartered corrupt parliaments—by an army degraded by the lash, and employed to enslave—by a pampered House of Lords—by a venal House of Commons—by a soldier, uniting the talents of a usurper with those of a captain—to these tools, to these legitimate hands, if the press must be destroyed, leave the deed to be done; let it not suffer with you, whose office and existence would be nothing without its vigorous alliance. For the sake of that hierarchy against whom a fatal blow is now aimed, proclaim that light must continue to visit every recess of that hierarchy, and by that light that its abuses must be destroyed.'

Again, the existence of the liberty of the press is supposed to depend on the breath of a jury, though so firmly established by law that it would require an arbitrary prince, a corrupt parliament, and a degraded army to subvert it. If there was nothing illegal, nothing which the law regarded as criminal in that sort of untrammelled and vehement discussion which constituted the libel before the Court, what had Mr. Williams to fear? Why should Mr. Brougham manifest so intense an anxiety for the result? In that case he would have been sure of saving his client, even in spite of a verdict against him. But if, on the other hand, the paper had all the legal ingredients of guilt, and if the judicial recognition of that fact was, as Mr. Brougham contended, incompatible with freedom of discussion, then the jury could not sacrifice an illusive privilege which had no substantial existence; and there needed no arbitrary prince

and venal parliament to abolish what seemed a temple of liberty, but was in reality a prison. It is worse than nugatory, it is deceitful and insulting, to bid the *jury* proclaim the concession of another great charter which is far beyond *their* competence to grant.

Some of the remarks of the 'Edinburgh Review' \* on the report of the proceedings in this important case, are not less deserving of notice than the passages which have just been considered. 'The conduct of the clergy,' says the reviewer, 'must not, it seems, be made the subject of any comment: they claim an exemption from that jurisdiction which the public opinion has for near a century and a half exercised over all other bodies of men in this country; they are resolved to do as they please, and to answer all unpleasant observations by the compendious logic of the Crown-office. We dare not, therefore, expose our London publishers to any risk by assigning any reasons for the fact, which is however indisputable, and may still, we would fain hope, be stated *historically*, that, of late years, the higher classes of the Church have not been held in perfect affection and veneration by the people at large among our southern neighbours; that pluralities and non-residence,' &c. &c.

And so he proceeds to set forth a grave and elaborate, and therefore infinitely more effective and impressive, *libel*, than that of which Mr. Williams was found guilty. If his London publishers, therefore, escaped penal retribution, it was not because the acuteness of the libeller was more than a match for the logic of the Crown-office, but owing to some of those extraneous and accidental circumstances, not to say that the victors might be somewhat *lassate* if not *satiate*, on which, more than on its intrinsic qualities, the fate of every libel, and the connivance, animadversion, or frustration of the law regarding it depends.

But what is most worthy of observation in the above quotation, is the claim imputed to the dignitaries of the Church, *of an exemption from that jurisdiction which the public opinion has, for near a century and a half, exercised over all other bodies of men in this country*. What! have there been no prosecutions for libel, no commitments for constructive contempts, no fines, imprisonments, pilloryings, during near a century and a half, except for libels on the clergy? Did the House of Commons acknowledge the jurisdiction of public opinion, when they prosecuted Owen, Wilkes, Stockdale, and Reeves? Did Lord St. Vincent, when first Lord of the Admiralty—did Lord Hardwicke, when Lord Lieutenant of Ireland—did Queen Caroline, acknowledge it? Another Edinburgh Reviewer \* asserts, that 'the utmost readiness to prosecute has, at different times, been found in persons conscious that the truth only had been proclaimed against them.' With what colour of truth,

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\* No. lxxiv. art. 4.

\* No. liii. p. 150.

then, is it said, that the clergy alone awaken the dormant terrors of the law ; that with respect to them alone the press is not practically free ; and that public opinion, ' safe from the throne, the pulpit, and the bar,' does exercise a sovereign jurisdiction over all other bodies of men ? Even if the law had granted an impolitic and unjust exemption in favour of the clergy, from a control to which all other men were subject, it would be unreasonable to make the least culpable party responsible for so unwise a law, to heap all the odium attending it on them, while not a syllable of censure, not a hint of disapprobation, not the faintest remonstrance, is directed against the legislative authors of the grievance.

Says the Reviewer : ' So that one dignitary, Mr. Phillpotts, defames him, (Mr. Williams,) and his brethren join in bearing down, **BY THE INTOLERABLE OPPRESSIONS OF THE LAW**, the defamed man for retorting upon his calumniator.' The act of those who resort to the law is denounced, not as vindictive and unchristian, but as an intolerable oppression, while the law itself is tolerated without a murmur ; and the ever-recurring fits of sympathy for the victim, and indignation against the licensed oppressor, pass away without exciting an attempt to remedy the evil !

The practical, analytical, *à posteriori* review which has now been taken of the operation of the law of libel, will be found, it is hoped, to have amply supported all the objections which were advanced in the first article, on a theoretical, synthetical, *à priori* consideration of the subject. It has been shown, we trust, that while the instances of hardship or injustice occasioned by malice, ignorance, or inadvertence, in the administration of other branches of the criminal law, are rare and accidental exceptions to the general result, the instances of gross mistake and flagrant oppression in the administration of the law of libel are its natural and proper consequences ; that the law is in reality what Lord Mansfield declared it would become, ' in every particular cause what any twelve men who happen to be the jury may be inclined to think ;' and that while it affords the means of gratifying feelings of rancour and prejudice, it has no tendency whatever to abate the licentiousness and correct the temper of the press, but, on the contrary, counteracts that moral restraint to whose benign influence and pervading energy we must look for an organ of public opinion, which shall stand more in awe of its own power of reprehension than it now does of fine, imprisonment, and banishment.

[In the succeeding articles of this Series, a view will be taken of the Theoretical and Practical State of the Doctrine of Summary Commitment for constructive contempts of the Houses of Parliament and Courts of Justice.]

SISMONDI ON SLAVERY—ERRORS RESPECTING THE STATE OF  
SOCIETY AT THE CAPE OF GOOD HOPE.

*To the Editor of the Oriental Herald.*

SIR,—I have read, but have not had leisure to think, through the splendid article ‘On Domestic Slavery and its Effects’ in the last *Oriental Herald*. I therefore leave out of view its power, its excellent tendency, and its innumerable beauties, which require taste, and time, and reflection, to be duly valued, and fix at once, like all superficial people, on its defects.

The first defect is—a bad argument against slavery. The writer says: ‘When a man gets possession of slaves, he feels an aversion to, and contempt for, manual labour.’ Is this peculiar to the possessor of this species of property? How many of your acquaintances feel a love and reverence for manual labour in their own case? Are the members of his Majesty’s Council good workmen? How many of the aristocracy, landed proprietors, and monied men, wear leathern aprons? All labour is on compulsion. It is endured for its reward, which is rest, and the indulgence of self-will. Who would, from a mere love of labour, sweep the streets, plead ugly cases at the bar, recant in the House, or climb chimneys? I would not even write this letter if any body else would do it for me.

The next defect is—a misapplication of the above cited remarks to the Dutch Colonists at the Cape of Good Hope, bottomed on the authority of Vaillant and Mr. Barrow. These were travellers both, and they have asserted their privilege. Residing at the Cape, I have seen and known that their representations are erroneous. Who built the substantial and elegant houses to be found in every part of the colony where there is a spring of water and a practicable soil? Who planted the vineyards, which require infinite toil and unremitting superintendence? Who subdued the wild beasts, and repulsed the barbarians?—The Cape Colonist, who is represented as being of necessity slothful and stupid, because the owner of slaves. But who rendered all these efforts of no effect? dissipated the accumulated security, comfort, and wealth, and splendour of ages?—Lord Charles Somerset, an Englishman, who possessed a *salary* of 10,000*l.* a year! Sir, I detest slavery, and will do my best to bring it to an end; but I also hate hypocrisy. England was the nursing-mother of slavery, and of sinecures. Are the last less hostile to a love of ‘manual labour’ than the first?

By the way, are the English aware that the Dutch Government at the Cape had formed a plan for abolishing slavery, and for raising the aborigines to a level with the European intruders, as early as the year 1803? and that this plan was defeated by their capture in

1806? I am sure Mr. Barrow was not, when he published his mass of libels on the Cape Dutch. Such is the fact: a law prohibiting the landing of any slave was promulgated by the Dutch in 1805. From that date, every human being landed at the Cape was, according to Dutch law, a free person. Many similar schemes were in embryo when benevolent England stepped in. Oh, how I hate hypocrisy!

The third defect is contained in a quotation from Vaillant, stating that a 'Cape Colonist never grants freedom to children born from her and his female slaves.' This looks shocking to benevolent England. At the Cape its aspect is less horrid, because the Dutch law secures not only the freedom of such children, but of the mothers of such children. If a female slave has a child by her master, by the Cape Dutch law she is free, her child is free, and all her future children are free. Is it the same in English colonies?

The next defect is contained in a quotation from Barrow, who observes, that 'there exists so little affection between relations, that one scarcely sees two brothers converse together; and how can it be otherwise,' he continues, 'when his brothers and sisters are considered as the vilest of his property?' I have shown that the cause of this phenomenon does not and cannot exist, and I know from experience and observation that the phenomenon itself exists only in Mr. Barrow's brain, or, more correctly, in his spleen. Being in office and addicted to scribbling, he had recommended an 'iron-rod' for this wretched colony, and to justify his prescription he represented the people as destitute of natural affection. The present enemies of the settlement have adopted a different argument for the use of the iron-rod, and the Commissioners of Inquiry have sanctioned it in their thin ambiguous report. The institution of Juries would be dangerous, they say, because 'the attachment existing between relations, and arising from family connections, is stronger and farther extended in this colony than perhaps in any other country in the world.' Both parties, you see, are twisting the same rope, but at different ends. Good God! was this world made for such men to rule and talk about?

The last defect I shall notice is contained in the following words: 'Our author proves by facts, by the circumstantial evidence of all travellers, the contempt for every kind of instruction among the Dutch Colonists of the Cape of Good Hope.' How does the following fact agree with this view? Two years ago, in spite of the determined opposition and threats of the English Governor, a public Journal was established at the Cape, and in the course of a few months the number circulated amounted to nearly two thousand a week. Did this look like apathy or contempt for instruction? It has since been suppressed by Lord Bathurst, for having extracted an article from the 'Times,' which the editor, in his Lordship's enlightened judgment, had no right to do. And how did these sloth-

ful unnatural contemnners of instruction act under such circumstances? They sent one petition to the King in Council, and two to Parliament, praying for a local legislature, trial by jury, and the liberty of the press;—strong proofs these of Vandalism. But what shall we say of the Government by whom these requests are treated with contempt? Remember also that it was an English Governor who, three years ago, prohibited the formation of a literary society, subscription library, and museum, at Cape Town, put down the press, banished a printer, ploughed up the Dutch botanic garden, and laid it under a crop of cabbages and leeks for his family, and barley for his horses, and cut down for fuel the beautiful trees which adorned and protected it from the east wind. Depend upon it, Sir, the balance of barbarism in this case inclines to the English side.

Repeating my admiration of the article generally, I remain, Sir, your obedient servant,

J. F.

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#### AN ACCOUNT OF THE CULTIVATION OF SAGO IN THE EAST.

(From the '*Singapore Chronicle*' of Feb. 15, 1827.)

WITH the view of expatiating on the rise and progress of this commodity, which, about forty years ago, was almost entirely unknown in a European market, except medicinally, being recommended as a restorative in phthisis and emaciations, we shall commence by describing the nature of the soil and situation which is favourable to it, the progress of vegetation, and the expenses of bringing it to market in its crude state; and subsequently enter into a detail of the process of refinement as practised here, remarking on the cost of labour and profit of manufacture attending its refinement from the first stage, to what is called pearl sago, with statements of the import of the farinaceous pith or medulla, and export of the refined pearl sago, with the various uses to which it is applied, and such general remarks as present themselves for consideration.

Growing in an almost wild state in many places in our immediate vicinity, it claims our particular attention—in the first place, as an article of considerable export; and, secondly, to use Dr. Johnson's definition of it, as 'a kind of eatable grain' increasing in demand, improving in quality, and in the manufacture of which, Singapore, within the last year, has not only surpassed in quality, but exceeded in quantity that of any other place.

In his '*Indian Archipelago*,' Crawford says, 'Sago is an article of exportation to Europe,—to India, principally Bengal,—and to China. It is in its granulated form alone that it is ever sent abroad. The *Oriental Herald*, Vol. 14.

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best sago is the produce of Siak, on the north coast of Sumatra. This is of a light brown colour, the grains large, and not easily broken. The sago of Borneo is the next in value; it is whiter, but more friable. The produce of the Moluccas, the greatest in quantity, is of the smallest estimation. The cost of granulated sago, from the hand of the grower or producer, is about twice the price of rice in Java, or a dollar a picul. In the market of Malacca, the sago of Siak may be had at from two to three dollars per picul. The sago of Borneo has been sold to the European merchant, in Java, as low as  $1\frac{1}{2}$  dollars a picul. The foreign exporter will be able to ship the former at from  $3\frac{1}{2}$  to  $4\frac{1}{2}$  dollars per picul. It may here be worth mentioning, that, within the last few years, the Chinese of Malacca have invented a process by which they refine sago so as to give it a fine pearly lustre. Not above four or five hundred piculs of this are manufactured. It is thought that it may be obtained at about six dollars per picul, when the supply is more equal to the demand. A small quantity of it exposed for sale in the London market, in 1818, sold for about thrice the price of ordinary sago.—Vol. iii. page 348. And he describes the sago palm (*metroxylon sago*) as a native of that portion of the Archipelago in which the easterly monsoon is the boisterous and rainy one—as the eastern portion of *Celebes*, and Borneo, to the north of Mindanao, to the south of Timor, and to the east of New Guinea, and says, that the great island of Ceram is of all others most distinguished for its production. He doubts it being indigenous in the western parts of the Archipelago; and draws some curious and interesting inferences from the various designations under which the sago palm is distinguished in the different languages of the islanders, tending to prove that in the western parts it is an exotic. He gives a sketch of the sago harvest, and the modes of preparing the *farina* for consumption, with the various economical uses to which the different portions of the sago palm are applied at some length, and winds up with the rough estimate of an English acre yielding 8,000 pounds of raw meal a-year.—See vol. i. page 383 to 393. We do not pride ourselves on our skill in botany, and submit quietly to be led, in the term (*metroxylon sago*) given to the palm tree, called *rumbia*, by the Malays of this part of the world, which produces the pith, afterwards manufactured into sago; though we are not obliged to confess that we are led blindly, inasmuch as the latest work we have had it in our power to consult, calls sago the production of the *cycas revoluta*, and the 'Encyclopædia Britannica' has it the *cycas circinalis*, a genus of plants, however, classed by Linnæus first among the *palms*, and afterwards amongst the *ferns*; so far we may be allowed to admit that which we cannot confute; this knotty point settled, we may proceed to business, and, for the sake of perspicuity, will divide the subject into two parts, and speak first of the crude, then the refined state. *Its crude state*.—First,

Low marshy situations shut out, but at no great distance from the sea, and well watered by fresh water, seem most productive. The soil in such situations, to the depth of several feet, is generally a flaccid mould, composed chiefly of decayed vegetable matter, and extremely pervious to water; below the above depth a stratum of marine formation generally exists. According to Raffles, on Java this tree is found only in a few low and marshy situations, and the preparation of sago 'from the pith is not known to the inhabitants.' Marsden says, that sago is but little used by the Sumatrans; and Crawford, as we have before stated, presumes that in this, or the western part of the Archipelago, the sago palm is an exotic. Our inquiries have been unavailing in the attempt to discover it as indigenous in our neighbourhood, and we feel confident that it does not exist in the native wild state to the eastward of Borneo.

The best sago produced in our vicinity, is from the islands of Appong and Panjang, which form the east bank of Brewer's Straits, or properly Salat Panjang; and next in quality, is that from the rivers Mandha, Kâtuman, Goung, Egal, Plandok, and Anak Sirka, lying between the Campar and Indragiri rivers, on Sumatra or Pulo Percha, as it is called by the Malays. Of least value is the produce of the islands of Buru, Ungah, and Kundor, in the Straits of Dryon or Salat Duri. The sago palm is found in several other places, in small quantities, but seldom cut down by the lazy possessors of it, to whom it probably descended through a long line of equally sluggish ancestors, from some *Inchi* of *Zamandaulu*, who had better notions when he planted it. The nature of the soil in the places we have mentioned is very similar, all of them deep bogs, next to impassable to one unaccustomed to such walking.

Cutting down and burning the jungle is all the preparation required previous to planting the palm, which is best done from the seed, a small black nut, about the size of a pullet's egg, at about five fathoms apart.

Plantations have been tried from the suckers, but the injury sustained by their roots in the separation from the parent stem has invariably retarded their growth above a year.

From seven to ten years is the time it takes for the tree to bear fruit, when planted from the seed in the first instance; cutting down, for their pith, commences generally at about the age of six or seven years; after this period the pith gradually loses its moisture, and is no longer fit for the purpose when the tree comes into bearing.

Sago is cultivated in large patches, divided into lots, the property of individuals, and as much as one man, his wife and family, choose to look after; I say choose, because it is not as much as they *could*, if they *would* attend. One man, as above, can manage 100 fathoms square; upon this he plants 400 seeds, and subsists himself for the first six or seven years on his means, not unfrequently leaving the



trees to take care of themselves; until he can commence cutting; from that day the supply is constant; each tree throws out from ten to twenty suckers, which increase so rapidly that the owner is obliged to thin them constantly; a good tree yields from forty to fifty tampins, and the worst ever cut down about twenty-five; this is on Appong. The tampin of Appong is to that of Mandha as four is to five; and is a rough measure made of the leaves of the sago-tree, of a conical form, twenty to thirty inches long, with a base of about eight inches diameter; both ends of this are stuffed with the refuse pith, to prevent the escape of the *farina*; and the tampin of Appong holds, on an average, nineteen pounds avoirdupois; thus, seven tampins very nearly equal a picul of this place, or 133½ lbs. avoirdupois.

It will be needless to speak of the sago of each place, differing but a little in quality, and in the measures they are sold by, as the acuteness of the Chinese brings them all to their true level on arrival here. One remark on the stupidity of the cultivators may be noticed, viz. 100 tampins of Appong may always be purchased on the spot, cheap or dear, at other places it matters not, for 6 1-4 reals, or Spanish dollars, 5. 12, as a Spanish dollar or a real is the same thing with them, and both go alike for 246 doits or 82 cents of a Spanish dollar of Singapore: if the person in quest of sago takes doits, they must be of the small kind, but thick. At Mandha, on the same principle, the same number of tampins may be had for Spanish dollars, 9. 61. Now the Appong measure yields 14 piculs, 29 catties, and the Mandha 17 piculs, 86 catties; a difference against Appong, of Spanish dollars, 2. 51, and all because they say it has been the *adat* or custom to sell it so!

One person is sufficient to clear the underwood away, as it grows up in every lot of 100 fathoms square. The whole family are, however, fully required when at times they cut down for manufacture, which is always done on the spot where the tree is felled. They prepare the number of tampins, or measures, required for the reception of the sago, in the first instance, and put them out to dry; they then fell the tree, and split it in halves by means of wedges, build a temporary house over it, and dig out the pith with hoes made from the rind of the tree; this they carry up into the house, the floor of which is latticed so close, as just to allow the finer parts of the medulla to pass through, on being wetted with water and trodden by the feet; into this house the produce of the trees is brought, two or three at a time, and all the finer parts are carried down by the water into the trunks of the trees, three or four feet in diameter, which are cleanly hollowed out, and left below to receive it. In order that no waste may take place, they lead a mat, made also of the leaves of the palm, from the floor of the work-shop down into the shells of the trees, and this carries the water without spilling any: they trample it until the water passes through clear of the

farina, and then throw away the refuse, keeping sufficient merely to stuff the ends of the tampin. By the next day the medulla has settled in the trunks of the trees, leaving the water at the top; this is drawn off, and the sago flour thrown in its wet state into the tampin already prepared, and left to strain itself: some refuse pith is then put on the end before left open, the base of the cone, and the work is done. The shell of the tree is then cut up for firewood, or in slips, and thrown into the marsh to prevent the poor devils going quite over head, in carrying down the sago to boats waiting for it. This is always their duty, for if the Malays, who come to purchase, could not get this included in their agreement, the chances are, they would go elsewhere in search of the sago. Sago once made is obliged to be kept wet, or it would spoil in a few days; again, kept constantly wet, the tampin leaves soon rot; cultivators cannot therefore keep a stock ready but at a greater risk than these savages choose to undergo. They have a method of frying the meal over the fire, called there *sagu randang*, which sells for a real or 82 cents. of a Spanish dollar, for sixteen of their gantongs are equal to twenty of Singapore or one picul. This, however, will not keep long; as damp throws it all into a glutinous mass, and in a short time spoils it, and it may easily be supposed that their situations are not *very dry and airy*! At Appong the sago is made by Orang Utan, or people of the woods, who speak a jargon of Malayan, are not Mohammedans, and eat the hogs, deer, &c. with which their island abounds; and the maritime Malays, who visit them for sago, are obliged to be always upon their guard, and not unfrequently wait two months for the cargo of a few hundred tampins; if they take money to purchase, they get it much quicker, but require additional caution in making advances. There are said to be about 350 souls, and that the produce might be put down at 3,000 piculs a-year. The most of these people are dependents of Siak and Campar; the chiefs of the former place exercising a system of extortion and rapine, enough to induce any other class of people less accustomed, to desert the place. The cultivators in the other places are Malays, and much superior, though their exports are severally less; and trafficking with them is not so dangerous or uncertain.

Appong has 350 souls employed, and could produce 3000 piculs; this would afford, under all the disadvantages at which they sell it, 1024 Spanish dollars per annum, a sum quite adequate to the demands for foreign luxuries of people who do not eat rice, and live upon the produce of their woods. The people of Siak were the chief importers of sago into Malacca, whence erroneously it got the name of Siak sago, described as the best by Crawford. Siak itself exports no sago.

Malays all agree that the cultivation of sago is the most profitable of agricultural pursuits, not yielding to even the cultivation of

rice by sawurs, for once in bearing, the trees are *ad infinitum*, equally profitable, and require little or no labour.

The miserable state of barbarism in which the cultivators of sago exist, puts all, calculation at defiance; but we do not hesitate in saying, if any person would commence here,—and there are many places peculiarly favourable to it, and of considerable extent—that the profits of an English acre, when the trees were once fit to cut, would amount on a low estimate to 50*l.* sterling per annum, after paying all expenses.

This, too, is a branch of agriculture that a European might engage in, without the certainty of being robbed, which pertains to the culture of spices, &c.

### THE MOOLEE-WHA.

*(Versified from Barrow's translation of the Chinese, by a young West Indian.)*

How lovely is this branch of flowers,  
Fresh severed from its own bright bowers!  
Some gentle hand that pluck'd the spray,  
Had dropp'd it here at dawn one day,  
And I, the owner of this home,  
Will cherish it for days to come,  
And wear its cluster'd gems, to be  
A charm for happy hours to me;  
But ne'er beyond my door shall shine  
Its beauty, for 't is mine—'t is mine!

How lovely is this Moolee flower,  
Bright blooming in its leafy bower,  
Excelling all the flowers that grace  
The chosen vase their resting place!  
And I, the owner of this home,  
Will treasure it for days to come,  
And wear its gather'd branch, to be  
A charm alone to me—to me;  
And fear lest eyes, that see it shine,  
Should envy me this flower of mine.

B. H.

**POLICE REGULATIONS REFUSED REGISTRATION BY THE SUPREME COURT OF BOMBAY.**

*A. D. 1826. Rule, Ordinance, and Regulation I.*

A Rule, Ordinance, and Regulation for better defining and extending the powers and jurisdiction of the Court of Petty Sessions and of Magistrates of the Police, and for amending and consolidating into one Rule, Ordinance, and Regulation, sundry provisions relating to such powers and jurisdiction. Passed by the Honourable the Governor in Council of Bombay on the 26th day of September, 1826, and registered in the Honourable the Supreme Court of Bombay, on the — day of — 1826.

*Preamble.*

Whereas, for facilitating the prompt, just, and effectual correction of petty offences, and for further promoting the good order and civil government of this Presidency, it is expedient that the Rule, Ordinance, and Regulation I. of 1812, should be amended, and that the powers and jurisdiction thereby vested in the court of petty sessions and in the police magistrates should be better defined, and extended by additional provisions; and, whereas it would tend to simplify the same, if the said Rule, Ordinance, and Regulation thus amended, and the additional provisions hereinafter ordained, should be consolidated into one newly modified Rule, Ordinance, and Regulation. Be it therefore ordained, by the authority of the Honourable the Governor in Council, and in virtue and pursuance of the statute passed in the forty-seventh year of the reign of his late Majesty King George the Third, intituled 'An Act for the better settlement of Fort St. George and Bombay,' that from and after the due publication and registry of this Rule, Ordinance, and Regulation, in the Supreme Court of Judicature at Bombay, the said Rule, Ordinance, and Regulation I. of 1812, shall be and the same is hereby repealed, and this Rule, Ordinance, and Regulation, consisting of the titles and articles hereinafter stated, shall have full force of law within the island and harbour of Bombay, including Colaba and Old Woman's Island, and shall be strictly obeyed as such by all his Majesty's subjects inhabiting the same.

*Title First.—Of Magistrates.*

I. The Honourable the Governor in Council shall select two or more justices of the peace, who shall be styled magistrates of the police, and who shall perform the duties and exercise the authorities in the following articles specified.

II. The magistrates of the police shall ordinarily exercise their authority within such limits, as the Honourable the Governor in Council shall from time to time assign; and for this purpose they

shall attend at their respective offices from ten in the forenoon to three in the afternoon of every day, and they shall always leave at their offices information where they may be found at any hour of the day or night, and if either of them shall be incapacitated by sickness to act and attend, he shall be bound to procure another justice of the peace to act in his stead.

III. Each of these magistrates shall ordinarily within his own district, and occasionally elsewhere within the presidency, do all acts that a single justice of the peace may by the law of England do within this presidency.

*Title Second.—Of the Petty Sessions.*

I. On every Thursday morning at ten o'clock, a court shall be assembled at the office of police within the fort, to be entitled the court of petty sessions.

II. This court shall consist of three or more justices of the peace, two of whom shall be magistrates of the police, and the third or others shall be a justice or justices of the peace.

III. The said court shall exercise over all offences hereinafter enumerated and ordained, the powers of summary conviction and punishment, according to the course pursued by two justices of the peace in certain cases under authority of statutes.

IV. They shall also exercise a like jurisdiction generally over all acts done in violation of the rules now legally passed, or hereafter to be legally passed, by the Honourable the Governor in Council for the good order and civil government of the presidency: and shall have power to issue process by warrant or summons, and to levy all pecuniary forfeitures or penalties by them duly imposed, by means of distress on the goods and chattels of the offenders, and by sale of the same if unredeemed for the space of six days, in all cases, when the mode of issuing process and of levying any such penalty or forfeiture is not specifically provided.

V. The said court shall allow reasonable time for defence to all persons charged before them. They shall examine witnesses on both sides on oath, they shall record in the shortest and plainest words the substance of the charge and the evidence, their opinion of the guilt or innocence of the person accused, and the punishment which they think fit to inflict, and they shall all sign the record of each day's proceeding.

VI. They shall lay a summary of the convictions and punishments quarterly before the Quarter-Sessions of the Peace, the Court of Oyer and Terminer, and the Honourable the Governor in Council.

VII. The Court shall have a power of adjourning, and two of the members may summon it on any other day of the week besides

**Thursday, at twenty-four hours notice, if such meeting shall appear to be necessary.**

**VIII.** In the event of any or either of the magistrates of police being unable to attend the petty sessions, either from indisposition, press of business at his own office, or any other reasonable cause, one or more of the other justices of the peace may attend, or be summoned by the sitting member or members of the court to attend the petty sessions in his or their room.

*Title Third.—Of Constables.*

**I.** The justices, at their Quarter-Sessions, shall appoint some respectable European to be High Constable, who shall, in all cases of importance, be ready to execute the orders and warrants of the magistrates.

**II.** They shall also swear in a sufficient number of Europeans to be constables, for the preservation of quiet and the execution of the law.

**III.** The court of petty sessions shall have power, by order, to be entered among their records, to appoint and swear in such Native constables or persons as to them shall from time to time appear expedient, to act in preservation of the peace, and in execution of the law; and by like order to appoint their wages; and also by like order to arm them in such manner as they may deem fit,—all such orders to be nevertheless subject to the revision of the Honourable the Governor in Council.

**IV.** Provided always, that nothing in these articles shall be understood to prevent the petty sessions or any justice of the peace swearing in special European constables to act on any emergency calling for such a temporary measure.

**V.** In case of any misbehaviour or negligence of such Native constables or peons in their duty, either committed in view of any magistrate of police or of the court of petty sessions, or proved on the oath of one or more credible witnesses, the said court, or any single magistrate of police, shall have full power and authority to fine such delinquent in any sum not exceeding the amount of three months' wages, or to suspend him from his situation for a limited period, or altogether to discharge him from the same, as to him or them in their discretion shall seem fit; and the said court of petty sessions shall also have power in such cases, in lieu of such fine, suspension, or discharge, to order corporal punishment not exceeding 20 lashes, or imprisonment with hard labour, for a period not exceeding two months.

*Title Fourth.—Of petty personal offences which are indictable.*

**I.** And whereas the expediency and necessity of enlarging the powers and jurisdiction of the magistrates in cases of petty theft has

been repeatedly urged, as well by petitions to Government from a numerous class of the superior Natives, as by the grand juries in their presentments, and by the bench of magistrates, it is therefore hereby ordained, that the court of petty sessions shall exercise the power of summary conviction in all cases of simple larceny, where the value of the goods stolen shall not exceed 20 rupees; such offences to be punishable by fine not exceeding 400 rupees, and in addition thereto or in lieu thereof, as the case may seem to require, imprisonment with hard labour for any time not exceeding six months, or corporal punishment not exceeding 36 lashes.

II. The said court shall exercise like jurisdiction in all cases of the receiving stolen goods knowing them to have been stolen, where the principal felon has not been convicted though amenable to justice, and where the amount of the goods shall not exceed the value of 40 rupees; such offences to be punishable by fine not exceeding 400 rupees, and in addition thereto, or in lieu thereof, as the case may seem to require, imprisonment with hard labour for any time not exceeding six months, or corporal punishment not exceeding 36 lashes.

III. The said court shall exercise like jurisdiction in all cases of persons having in their possession without authority of Government, or other lawful excuse, or with intent to use the same, instruments of coining, and likewise in all cases of persons having in their possession any implement of housebreaking with intent feloniously to break and enter into any building whatever, such offences to be punishable by fine not exceeding 200 rupees, and in addition thereto, or in lieu thereof, as the case may seem to require, imprisonment with hard labour for any time not exceeding six months, or corporal punishment not exceeding 36 lashes.

IV. The said court shall exercise like jurisdiction in all cases of indecent exposure of the person, or of any obscene exhibition, in any places of public resort, such offences to be punishable by fine not exceeding 100 rupees, and in addition thereto, or in lieu thereof, as the case may seem to require, imprisonment with hard labour for any time not exceeding three months, or corporal punishment not exceeding 20 lashes.

V. The said court shall exercise like jurisdiction in all cases of riots, routs, forcible entries, affrays, and common assaults, such offences of riots, routs, and forcible entries to be punishable by fine not exceeding 150 rupees, or in lieu thereof, imprisonment for a period not exceeding four months, and the offences of affray and common assaults to be punishable by fine not exceeding 100 rupees or, in lieu thereof, imprisonment for a period not exceeding three months.

VI. Provided always that nothing in this title contained shall be understood to prevent a prosecutor from bringing such cases before

a grand jury, if he pleases, or shall hinder the magistrates themselves from directing the case to be brought before a grand jury, if the difficulty of the question or the solemnity of the example shall seem to render it fit.

VII. It shall be lawful for any constable or police officer, without warrant, to apprehend any person found offending against any article of this title, and to bring such person before any justice or justices of the peace, or before the court of petty sessions as he soonest may, and upon the appearance of such person under such apprehension, before such justice or justices out of sessions, or upon his or her appearance under any warrant or summons before the justice or justices issuing the same out of sessions, such justice or justices may inform himself or themselves, by examination on oath, and may, if such matter shall appear to him or them to be proved, commit such offender for trial at the next ensuing court of petty sessions, or instead thereof, at his discretion, may take his or her recognizance, with sufficient sureties for his or her appearance before the said next court. But in case of such appearance before the court of petty sessions, either in the first or second instance, and with or without warrant or summons issuing therefrom, such court may, at once proceed to the examination of the case as hereinbefore authorized, and to adjudication, or may commit or bail, as above provided, the person charged till the then next ensuing sessions, according as the just investigation of the case may seem to require.

*Title Fifth.—Of idle and disorderly Persons, and of Rogues and Vagrants.*

I. The said court of petty sessions, shall exercise like power of summary conviction in all cases of persons found commonly loitering or wandering about in places of public resort, who, being able to obtain employment whereby they may maintain themselves, shall refuse or neglect to be so employed, and shall not upon due examination before such court, or before the justice or justices before whom they shall appear as hereinafter provided, give a satisfactory account of themselves or of their means of livelihood, and they shall exercise like jurisdiction in all cases of persons wandering about by night in the public streets or highways and not giving a good account of themselves; such offences to be punishable by imprisonment with hard labour for any time not exceeding one month.

II. The said court shall exercise like jurisdiction over all impostors and pretenders to magical or other preternatural powers, and over all common gamblers who shall not give a satisfactory account of any other means of livelihood; such offenders to be punishable by fine not exceeding 50 rupees, or, in lieu thereof, imprisonment with hard labour for any time not exceeding one month.

III. The said court shall exercise like jurisdiction over all persons going about gathering alms or money under false pretences;



and over all persons having no regular home, but found wandering abroad, and lodging in out houses, or in the open air, or under tents, or in carts and waggons, and not being able to give a good account of themselves; and also over all persons commonly placing themselves in streets and public places to beg alms, or endeavouring by exposure of wounds or deformities to obtain alms; such offenders to be punishable by imprisonment with or without hard labour, as the case may seem to require, for any time not exceeding two months, and in addition thereto, or in lieu thereof, as the case may seem to require, corporal punishment not exceeding 20 lashes.

IV. The said court shall exercise like jurisdiction over all persons found having in their possession any gun, pistol, cutlass, dagger, bludgeon, or other offensive weapon, with intent to assault any person or to commit any other illegal act; or who shall be found in or upon any dwelling-house, warehouse, out-house, stable, or in any inclosed yard, garden, or compound, and shall not be able to give a good account of themselves, or who shall frequent any dock, quay, warehouse or avenues, streets or highways leading to the same, or any streets, highways or places of public resort whatever, with intent to commit any felony; such offenders to be punishable by fine not exceeding 100 rupees, and in addition thereto, or in lieu thereof, as the case may seem to require, imprisonment with hard labour for any time not exceeding four months, or corporal punishment not exceeding 30 lashes.

V. The said court shall exercise like jurisdiction over all persons escaping or rescuing others from apprehension, custody, or confinement, under authority of this or any other regulation: or refusing, after apprehension for any offence in this title mentioned, to go before any justice or justices; or knowingly giving a false account of themselves on any examination of such offenders as hereinafter prescribed, after warning given them of their punishment; or who, being bound on a charge made against him or her by any recognizance to appear before the court of petty sessions, shall neglect to appear accordingly; such offenders and all other offenders for the second term after conviction against any article of this title, to be punishable by fine not exceeding 200 rupees, and in addition thereto or in lieu thereof, as the case may seem to require, imprisonment with hard labour for any time not exceeding six months, or corporal punishment not exceeding 30 lashes.

VI. It shall be lawful for any constable or police officer, without warrant, to apprehend any person found offending against any article of this title, and to bring such person before any justice or justices of the peace, or before the court of petty sessions, as he soonest may, and upon the appearance of such person under such apprehension before such justice or justices out of sessions, or upon his or her appearance under any warrant or summons before the justice or justices issuing the same out of sessions, such justice or justices may

inform himself or themselves by examination of the person or persons so appearing, or of any other person on oath, and may, if such matter shall appear to him or them to be proved, commit such offender for trial at the next ensuing court of petty sessions, or instead thereof, at his discretion, may take his or her recognizance with sufficient sureties for his or her appearance before the said next court. But in case of such appearance before the court of petty sessions, either in the first or second instance, and with or without warrant or summons issuing therefrom, such court may at once proceed to the examination of the case as herein before authorized and to adjudication, or may commit or bail, as above provided, the person charged till the next ensuing sessions, according as the just investigation of the case may seem to require.

VII. It shall also be lawful for any justice or justices of the peace, whether in or out of petty sessions, before whom any person offending against any article of this title may appear, to order such person to be searched, and his or her bundles, parcels, or packages, which he or she may happen to have with him or her at the time of committing such offence, to be inspected in the presence of such justice or justices, and secured; and, in case of conviction, the said court of petty sessions may order any effects found on such search to be sold, and the money arising therefrom or any money found on such search, to be applied for and towards the costs and expenses of apprehending, convicting, and maintaining such offender, during such time as he or she may happen to be imprisoned, returning the overplus, if any, after deducting charges of sale, to the said offender.

VIII. It shall be lawful in all cases of any commitment or bailing for future trial at the court of petty sessions, to bind any person over by recognizance to prosecute, or to give evidence at such trial who are able so to do.

IX. It shall be lawful for any justice or justices of the peace in or out of petty sessions, upon information on oath that any offenders in this title, or in the third article of the preceding title described, are reasonably suspected to be harboured or concealed in any tavern, spirit house, opium or bang house, or gambling house, to authorize any constable or other person, by warrant, to enter at any time into such house, and to apprehend and bring before him or them all persons found therein and so suspected, and if, on examining such persons so brought, they or either of them cannot give a satisfactory account of themselves, such justice or justices and the court of petty sessions may deal with them as in other cases of offences committed against the articles of this title, provided that the punishment shall not extend beyond that which is assigned to the offence of which each person may be respectively suspected.

*Title Sixth.—Of Goods suspected to be stolen.*

I. In all cases where any money, goods or chattels whatever, or

any securities for money or goods; or any choses in action whatever, shall have been stolen from any person or place, and where any such property, which shall, in the belief of the person deposing to his loss of the same, be the property so stolen, whether he can or cannot positively identify it as such, shall be found in the possession of any person who shall not be able satisfactorily to account for such possession, any justice or justices of the peace may, in or out of sessions, upon oath made, issue his or their summons or warrant for the appearance of such offender, and on his or her appearance accordingly, proceed against him or her as provided by article VI. of last preceding title; such offences to be punishable by fine not exceeding 100 rupees, or in lieu thereof, as the case may seem to require, imprisonment with or without hard labour as the case may seem to require, for any time not exceeding six months, or corporal punishment not exceeding 36 lashes.

*Title Seventh.—Of Offences against the Public Communication.*

I. All buildings which encroach on the high roads or streets, or upon the space on the esplanade declared to be necessary for the safety of the fort, may be abated by an order of the magistrates in petty sessions, after the parties interested have been summoned, and if they attend, fully heard.

II. All diggers and owners of wells are required to surround them with a wall of chunam three feet high, and, in default of owners, the magistrates are authorized to cause such walls to be built at the public expense.

III. No owners or occupiers of land are to suffer pits to remain uncovered during the night. The magistrates may, in default of the owners or occupiers, cause the pits to be covered, or if need be, to be filled up, at the expense of the owners or occupiers.

IV. All drivers of carriages and horsemen are to drive and ride moderately along the high road, taking the left side, and leaving a sufficient space for others to pass them. All hackerays are to continue to be registered and numbered; and no person is to train horses on the more frequented parts of the highway, till they be so far tamed as to give no alarm.

V. No person shall commit nuisances on the high road or streets, or leave carts or carriages on the street or road, with or without horses or bullocks.

VI. The court of petty sessions may, in all the above cases under this title, inflict such punishments, not exceeding the fine of 50 rupees, or imprisonment for a fortnight in default of payment, as the danger, audacity, or repetition of the offences may require.

*Title Eighth.—Of Trades immediately dangerous to the Public-Safety.*

I. No person shall make oil, or distil spirits, or mix and prepare

copper or red lead, or manufacture gunpowder, within the fort, or in the Black Town.

II. The justices may remove all such trades at the expense of the owners; and the petty sessions may prescribe limits within which they are to be carried on, subject to the approval of the Governor in Council.

*Title Ninth.—Of Trades which may be made instrumental to the Commission of Crimes.*

I. The petty sessions shall cause exact lists to be taken and kept of all houses licensed to sell spirits, of all houses where bang or opium is usually taken, of all shops and warehouses where goods are received in pawn, and of all goldsmiths or sellers and buyers of gold and silver. They shall cause a small fee to be taken for each house or name registered, which shall be sufficient to defray the expense of the register of these dangerous houses, trades, or modes of life.

II. All persons pursuing the above occupations, who shall not register themselves as above, shall be punishable, according to the circumstances of the case, by the petty sessions.

III. All keepers of taverns, spirit houses, opium or bang houses, shall be punishable in like manner, for all affrays, assaults, or other violences committed in their houses.

IV. All purchasers of military uniforms, without a written permission previously obtained by the purchasers themselves from commanding officers or adjutants of corps to whom the owner of such uniforms may or might have belonged, or from the town mayor, all sellers of the same to foreigners without license from government, and all purchasers of goods and lenders of money upon them at unseasonable hours, or from unknown persons, may be punished by the petty sessions according to the circumstances of their cases.

V. No punishments under articles II. or III. of this title shall exceed a fine of 50 rupees, or imprisonment for one month in default of payment; nor punishment under article IV. exceed a fine of 50 rupees, or imprisonment for a fortnight in default of payment.

*Title Tenth.—Of Dangerous Weapons.*

I. No person shall be suffered to enter this island, or to be in it, armed with guns, pistols, swords, daggers, creases, knives, or other weapons by which mortal wounds are usually inflicted, except those who may be in his Majesty's or the Honourable Company's naval, military, or marine service, or British subjects in general, and except officers holding commissions in the service of any state in amity or alliance with the British nation, and except, also, constables, peons, and other persons, armed by authority of the magistrates of police.

II. All such weapons shall be seized and forfeited, and such further legal punishment inflicted on the bearers of them, as the court of petty sessions shall deem just.

III. Effectual means shall be used to make this title known to all commanders of ships and vessels who enter this harbour, and they shall be punishable for suffering any of their crew to land with such weapons.

IV. All masters and keepers of taverns, spirit houses, bang, or opium shops or gaming houses, who suffer any persons with such weapons as aforesaid to enter their houses, shall be punishable for so doing by the petty sessions.

V. No punishment under this title shall exceed a fine of 90 rupees, or imprisonment for one fortnight in default of payment.

#### *Title Eleventh.—Of vending Poisonous Substances.*

I. The medical board shall be instructed by Government to draw up a list of substances immediately destructive of human life, which may be properly called poisons, and the list shall be entered on the records of the petty sessions.

II. No person shall sell any of the substances contained in the list without a licence from the petty sessions, for which a fee shall be paid, and no licenced person shall sell them except to persons whom they well know, and for purposes perfectly explained to them; and they shall make full entries of such sales in a book which they shall preserve, and when lawfully called upon, produce, and all offenders against this article are punishable by the petty sessions by fine not exceeding 50 rupees, or imprisonment for one month in default of payment.

#### *Title Twelfth.—Of Religious Rites and Processions.*

I. All insult to, or disturbance of, any religious rite or ceremony shall be punishable by the petty sessions.

II. Any two or more magistrates of police, of whom the senior magistrate shall be one, shall have power, by order under their hands, subject to the sanction and confirmation of the Honourable the Governor in Council, testified by his signature thereto, to regulate all religious processions that may be dangerous to the public peace, such as the processions of the Mohammedans at the holidays called the Mohurrum, and to prescribe the hours, limits, and circumstances of such processions; of which orders, after publication of the same in a newspaper, and by being affixed to the police offices and gates of the Fort, the court of petty sessions may punish the wilful violation.

III. They shall also have power to restrain or prohibit all noisy processions on occasion of marriage, and like occasions, during the night, which disturb the repose of the inhabitants.

IV. No person shall discharge any kind of firework in a public street or highway, or so near thereto as might terrify horses or cattle.

V. No punishment, under articles I. and II. of this title, shall exceed a fine of 100 rupees, or imprisonment for three months in default of payment; nor punishments, under articles III. and IV., exceed a fine of 20 rupees, or imprisonment for one fortnight in default of payment.

*Title Thirteenth.—Of a General Register.*

I. The magistrates shall, with all convenient despatch, cause a register to be prepared of the population of the island, with the caste, trade, sex, dwelling, and, as far as possible, age and name of each inhabitant.

II. They shall also make such effectual regulations as their experience may suggest, for regular and certain returns of births, marriages, and deaths.

And for both these purposes, all such Natives as they may think proper to employ, are required to obey them, under the penalty of 50 rupees, or imprisonment for one fortnight in default of payment.

III. They shall lay a summary of the register of population, and of the tables of births, marriages, and deaths, annually before the Honorable the Governor in council on the 1st of January.

*Title Fourteenth.—Of the Slave Trade and Slavery.*

I. All importation of slaves into this island for sale, is prohibited.

II. The petty sessions shall, in such cases, emancipate the slave, and send him or her back to their family, or to the place from which he or she was brought, at the expense of the importer. When the slave is desirous of remaining, the importer shall pay him the money, which would otherwise have been employed in defraying the expense of his return. The petty sessions may inflict farther punishments in aggravated cases not exceeding the fine of 500 rupees, and imprisonment for six months in default of payment.

III. All children born of parents in a state of slavery in this island, after the 1st day of January 1812, shall be free.

IV. The said court of petty sessions shall have power of summary conviction in all cases of persons enticing or conveying away any married females, or unmarried females, under the age of 13 years, out of the protection and against the will of the husband or father; or other person having the lawful protection and governance of any such female, for the purpose of her prostitution in any way, or for her disposal in marriage against the will of the person having such lawful protection or governance as aforesaid; such offenders to be punishable by fine not exceeding 500 rupees, or in lieu thereof

as the case may seem to require; or in default of payment, imprisonment with or without hard labour, as the case may seem to require, for any time not exceeding six months.

*Title Fifteenth.—Of Process generally, and of Costs, and of the Mode of Levying Penalties.*

I. It shall be lawful in all cases of violation of the articles of this rule, ordinance, and regulation, in respect of which the course of compelling appearance and of adjudication is not hereinbefore provided, for any justice, or justices of the peace, in or out of sessions, to issue his or their summons or warrant for bringing the party or parties complained of before the court of petty sessions, which court shall, upon his or their appearance, or contempt or default, proceed to adjudication.

II. In all cases of complaints made for violation of this or any other rule, ordinance, and regulation, which shall be dismissed as unfounded, frivolous, or vexatious, the magistrate or magistrates dismissing the same, shall have authority in their discretion to order such reasonable costs to be paid by the prosecutor to the party or parties complained against, as it shall appear may have been incurred by him or them in consequence of such complaint so dismissed.

III. Whenever any forfeiture, penalties, or sum of money, by way of costs, shall be imposed under authority of this regulation, the magistrate or magistrates imposing the same, shall and may levy such forfeiture, penalty, or costs, by warrant upon the goods and chattels of the party or parties liable to pay the same, and cause sale to be made of the goods and chattels, if they shall not be redeemed within six days, rendering to the party the overplus, if any, after deducting the amount leviable and the attendant charges of levying. And in all cases whatever of levying forfeitures, penalties, or costs legally imposed, in which sufficient distress shall not be found, and such forfeitures, penalties, or costs, shall not be forthwith paid, it shall be lawful for the magistrate or magistrates imposing such forfeitures, penalties, or costs, by warrant to cause such defaulter or defaulters to be committed to prison for any time not exceeding the term respectively assigned to the offence of which such defaulter or defaulters may have been convicted, and not exceeding one fortnight in cases wherein no period of imprisonment in default of payment of penalties or otherwise may happen to have been assigned in respect of such offence, and not exceeding one week in cases of non-payment of costs merely.

*Title Sixteenth.—General Rules.*

I. The petty sessions may cause any part of a fine which they think fit to be paid to an informer; and they may, by order under their hands, to be approved by the Honourable the Governor in Council, apply any part of the produce of fines to necessary expenses of police, particularly to be specified in the orders.

II. These rules shall be printed, published, and translated into the native languages, and constantly distributed as much as possible.

III. The court of petty sessions shall, on the 1st of January of every year, make a report to Government of the state of crimes and police of the island, of the offences which have increased or diminished, of the caste and sorts of men who may have become more dangerous, and of such regulations as may appear to be wanting for the good government of the community.

True copy.

(Signed)

D. GREENHILL,

*Acting Secretary to Government.*

Taken as read and published in open Court the 5th of Feb. 1827.

(Signed) C. GRANT,

*Clerk of the Crown.*

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**JUDGMENT OF THE HONOURABLE SIR EDWARD WEST, CHIEF JUSTICE, ON THE PROPOSED REGULATION.**

First, I think it necessary to remark upon the form of the ordaining part of this regulation, which differs from that adopted in the last proposed regulation, and invariably used at Calcutta: that form is as follows:

1. Be it therefore ordained by the authority of the Honourable the Governor in Council of and for the Presidency of Bombay, by and in virtue of and under the authority of a certain act of Parliament, made and passed in the forty-seventh year of the reign of his late Majesty King George the Third, entitled "an act for the better settlement of the forts of St. George and Bombay," that fourteen days after the registry and publication of this rule, ordinance, and regulation in the Supreme Court of Judicature at Bombay, with the consent and approbation of the said Supreme Court, if the said Supreme Court shall, in its discretion, approve of, and consent to the registry and publication of the same, &c.

In the present regulation, the words, 'with the consent and approbation of the said Supreme Court, if the said Supreme Court shall in its discretion approve of and consent to the registry and publication of the same,' are altogether omitted, and there is not a word to indicate that the Court has any discretion as to the registry of regulations. I shall not, however, make any further observation upon this omission, as the language in which regulations may be proposed, will not, of course, have any influence on the Court in the exercise of its rights or duties.

Next, I shall observe upon the most important provision of these regulations, title 4, art. 1, which gives the petty sessions the power of summary conviction in all cases of simple larceny, where the value of the goods stolen shall not exceed 20 rupees. The King in Council has disapproved such regulation when attempted to be in-



troduced at another Presidency. A rule, ordinance, and regulation passed by the Governor-General in Council in 1778, and registered in the Supreme Court at Calcutta, which gave the superintendent of police jurisdiction over petty larcenies, was disallowed by a warrant under the royal sign manual dated 3d July, 1780. In the year 1783, the Governor-General in Council passed a regulation giving the commissioners of police the same power, but it was disallowed by the Supreme Court at Calcutta; and I do not find that it has ever been again attempted at Calcutta to vest the magistrates with such power.

What the actual practice of the magistrates at the other Presidencies has been, I have not been able to ascertain.

With respect to the practice at this Presidency, it appears that, until the year 1812, first the lieutenant, and afterwards the superintendent of police, were in the habit of summarily punishing felonies according to discretion, but without any legal authority. In the year 1812, some regulations of police were registered upon the suggestion of Sir James Mackintosh, and among those so suggested by him are the following clauses:

*Article 3d.*—The said court shall exercise the power of summary conviction granted by certain statutes to two justices of the peace.

*4th.*—They shall also exercise this power in all larcenies where the value of the goods taken shall not exceed 20 rupees, and which shall not be either highway robbery or burglary, in all common assaults and affrays, and in all defamatory and slanderous words.

*5th.*—Nothing in the said 4th article shall be understood to prevent a prosecutor from bringing such cases before a grand jury, if he pleases, or shall hinder the magistrates themselves from directing the case to be brought before a grand jury, if the guilt of the question, or the solemnity of the example, shall seem to them to render it fit.

Before these regulations, however, were sent by the Government to the court for registry, the words of the fourth article respecting larcenies were struck out, and the latter words of that article were added to the third article, thus reducing the regulations to two, which are as follow:

*Article 3d.*—The said court shall exercise, in cases hereinafter enumerated, the power of summary conviction granted by certain statutes to two justices of the peace, particularly in all common assaults and affrays, and in all defamatory and slanderous words.

*4th.*—Nothing in the third article shall be understood to prevent a prosecutor from bringing such cases before a grand jury, if he pleases, or shall hinder the magistrates themselves from directing the case to be brought before a grand jury, if the guilt

culty of the question, or the solemnity of the example, shall seem to them to render it fit.

By this alteration three extraordinary inconsistencies were introduced into the regulations: First, there are no cases thereafter enumerated in which the power of summary conviction is granted to two magistrates; 2dly, there are no statutes giving power of summary conviction to two magistrates in all common assaults, and in all defamatory and slanderous words; and 3dly, cases in which the power of summary conviction is given, are a perfectly distinct class from those which may be made a subject of indictment and brought before a grand jury.

The regulations so altered were registered on the 20th of January 1812, but, nevertheless, though the clause vesting the petty sessions with the power of summary conviction in felonies was so struck out, it appears from the summaries, that on and from the 8th day of June of the same year, felonies have been constantly summarily punished by the petty sessions, as they have also constantly been by the magistrates sitting singly.

Such is the history of the practice of punishing felonies summarily by magistrates at this Presidency; and though I am most unwilling to sanction such practice, yet I think that we are compelled by an actual, and not an imaginary, necessity to do so. It appears by the returns which I have obtained from the magistrates for seven years, that the felonies which have been brought before the magistrates and petty sessions, average annually above 400, besides those tried by the Supreme Court, which are about sixty in the year.

The difficulty of interpretation, and of extracting evidence from Native witnesses is such, that we cannot, on an average, try more than two or three cases a day, and it would take, therefore, about eight months in the year for the Supreme Court to try the whole of the felonies. Before the new jury act it was difficult to find juries for the limited number of cases which were tried in the Supreme Court; and even now, if the judges had time, the burthen upon the juries would be intolerable. Under these circumstances, it is matter of absolute necessity that the petty sessions should try small felonies, and it is obvious, that, if they are to exercise this power, it should be imparted to them openly and publicly, and by regulation, and should not be practised by them in contravention of law, and by the connivance of those whose duty it is to keep them from exceeding their authority.

I feel myself therefore compelled, however reluctantly, to assent to this regulation, until it shall have been brought to the notice of his Majesty in council. I could wish, however, that the court of petty sessions which is to be vested with this extraordinary power, shall be more distinctly defined in the regulations, and that it should be an essential ingredient to the court that one of the members of

it should be an assistant barrister. I should also wish that the limit of the value of the goods were reduced to ten rupees.

With respect to the punishment of felonies under this regulation, I think it necessary to object to the principle of punishing a felony by a mere fine, and I think also the punishment of 36 lashes inflicted by the rattan, and all at one time, as it may be by this regulation, too severe.

To the second article of the same title, which vests the petty sessions with the power of summarily punishing the receivers of stolen goods to a certain amount by fine and six months imprisonment, or 36 lashes, I decidedly object, having ascertained by a return of the number of offences of this description, that it is not necessary.

To the third article of the same title, which vests the petty sessions with the power of summarily punishing persons for having in their possession, without lawful excuse, instruments of coining, or implements of house-breaking, by fine and imprisonment for six months, or 36 lashes, I also decidedly object:—to the first branch which vests the petty sessions with the power of summary punishment for having possession of instruments of coining, I object *in toto*; to the latter part I object merely in respect of the punishment, which is as before by fine with imprisonment for six months, or 36 lashes,—the punishment for such last mentioned offence being by the vagrant act, 5 Geo. IV. c. 83, s. 4. merely three months imprisonment.

To the fourth article of the same title, which gives the petty sessions the power of summarily punishing persons for indecent exposure of the person, I object, because the word 'wilfully,' which is found in the statute, is omitted, and the omission is obviously of great importance; and I also object to the 30 lashes, the punishment being by the statute limited to three months imprisonment; the wording of the regulation too is much more general than that of the statute, which is confined to any exposure of the person *with intent to insult any female*.

To the fifth article of the same title, which subjects to summary jurisdiction all cases of riots, routs, forcible entries, affrays, and common assaults, I object, chiefly on account of the punishment of imprisonment for three and four months, which carries the power of the magistrates much beyond that of the Calcutta regulations, and would give them, in my opinion, much too large a jurisdiction.

*Title Fifth.*—With respect to this title I have many objections to it, but think it necessary, as I am of opinion that these regulations cannot be registered in their present shape, to mention but one, by which it will appear how unprecedented are these regulations, whether we look to the statute law of England, or to the regulations which have been passed in any part of India.

By article the 3d of this title, any person commonly placing himself in streets and public places to beg alms, is punishable by imprisonment, with or without hard labour, as the case may seem to require, for any time not exceeding two months; and in addition thereto, or in lieu thereof, as the case may seem to require, corporal punishment not exceeding 20 lashes. The punishment for the same offence under 5th Geo. IV. c. 83, is but one month's imprisonment.

By article 5th of this title, any person escaping from apprehension for the above offence of begging, is punishable by fine not exceeding 200 rupees, and in addition thereto, or in lieu thereof, imprisonment with hard labour for any time not exceeding six months, or corporal punishment not exceeding 36 lashes. So that a person for begging may first be punished with two months' imprisonment and 20 lashes, and if he should run away from the person who endeavours to apprehend him, he may be farther punished by a fine of 200 rupees, and six months' imprisonment, or 36 lashes.

*Title Sixth.*—The article of this title provides, that where any money, goods, or chattels whatever, or any securities for monies or goods, or any *choses* in action whatever shall have been stolen from any person or place, and where any such property which shall in the belief of the person deposing to his loss of the same, be the property so stolen, whether he can or cannot positively identify it as such, shall be found in the possession of any person who shall not be able satisfactorily to account for such possession, such offence shall be punishable by fine not exceeding 100 rupees, or imprisonment with or without hard labour for any time not exceeding six months, or corporal punishment not exceeding 36 lashes.

This seems to be an extraordinary enlargement of the statute 29 Geo. II. c. 30, which applies merely to lead, iron, copper, brass, bell-metal, or solder, and which is followed by the Calcutta Regulations of the 28th March 1817.

The present proposed regulation extends the provisions of that act to all goods and chattels, and *choses* in action, and even to money; and converts the punishment, which by the statute is merely pecuniary, (for the first offence 40 shillings, for the second 4*l.*, and for every subsequent offence 6*l.*; and by the Calcutta Regulation, for the first offence, not exceeding 100 rupees; for the second, not exceeding 200, and for every subsequent offence not exceeding 400 rupees,) into a fine, not exceeding 100 rupees for every offence, or, in lieu thereof, as the case may seem to require, imprisonment, with or without hard labour, for any time not exceeding six months, or corporal punishment not exceeding 36 lashes.

With respect to the extension of this provision to money, how can a person be expected to account satisfactorily for the possession of every piece of money? One of the reasons, and the strongest, for holding that money is not within the statutes respecting receivers of

stolen goods is, that it is always difficult, and sometimes impossible, to account for the possession of each individual coin, which passes in circulation. With respect to the punishment, for the fine of 40 shillings is substituted six months' imprisonment, or three dozen lashes.

*Title Seventh.*—The first article is as follows: 'All buildings which encroach on the high roads or streets, or upon the space on the esplanade, declared to be necessary for the safety of the fort, may be abated by an order of the magistrates in petty sessions, after the parties interested have been summoned, and if they attend, fully heard.'

This is copied from the old regulations, title 4th, article 1st, but without any regard to the third regulation of the same year, or to that of 1815, by which it is amended and explained. The regulation, as it now stands, is, in my opinion, highly objectionable.

First, the magistrates in petty sessions may abate all buildings which encroach upon the high roads or streets, which appears to me to give the magistrates in petty sessions a very extraordinary power. They are to say what an encroachment is, and they are to determine what is to be the breadth of the roads, and to pull down any one's house, how long soever it may have been built, which they think may encroach on the high road. But the 2d part of this article appears to me to be still more objectionable; that they may abate all buildings which encroach on the space on the esplanade, declared to be necessary for the safety of the fort;—when declared? by whom declared? how declared? that has been declared? or shall be declared? Should it, at any future time, be thought proper to declare that a larger space is necessary for the safety of the fort, are the magistrates in petty sessions to have the power of abating all houses, however numerous, and however long they may have stood, without any compensation to the parties?

As these regulations must, in my opinion, be amended, I shall make but one further observation, and that is on

*Title Thirteenth, Article 2d.*—Which, after directing that the magistrates shall make a register of the population, and regulations for the return of births, &c., ordains, that for both these purposes all such Natives as the magistrates may think proper to employ, are required to obey them under the penalty of 50 rupees, or imprisonment for one fortnight in default of payment. So that the magistrates may compel, for these purposes, the gratuitous services of any Native for any period of time they please.

Lastly, I cannot but observe generally upon the extraordinary powers with which the regulations would vest the magistrates beyond those which have ever been thought necessary at Calcutta or elsewhere, and upon the prevalence and severity of corporal punishment. The Calcutta regulations go much beyond the English law.

But these leave the Calcutta regulations far behind. I will never sanction this system of supplying the defect of vigilance in the police.

I need scarcely observe, that in exercising the power of sanctioning regulations with which the Legislature has invested the Court; it is necessary to use the utmost caution; and in order to a mature consideration of the bearings of each ordinance, I should prefer that but one title be presented to us at a time for registration.

These regulations, I am of opinion, cannot be registered in their present shape.

By the Court, REGULATION DISALLOWED.

(Signed)

M. WEST,

Deputy Clerk of Crown.

# SCOTTISH POET.

THE following extract of a Note, and the paper which it enclosed, has been handed to us for perusal: and as we conceive the individual mentioned in it might be a very proper object for the patronage of any one of the East India Directors, who has any to spare, and who would feel pleasure in at once bringing such an individual into honourable usefulness in the church in India, and perhaps prolonging his life, we give them both insertion. The letter, which is dated from Edinburgh, August 20, and addressed to a gentleman in London, is as follows:

'We are quite delighted with a *Renfrewshire* Poet, whose name is POLLOK. I enclose a specimen of his verses, which seem to me of a very superior description. His state of health is such, that his only chance of existence is flying to a warmer climate for the winter season. Like other poets, being very poor, he must be assisted by the friends of merit and genius to undertake the journey, and we hope that you will have the goodness to put him on your donative list.'

The enclosure was a printed paper intended for private circulation; but we shall do no more than justice to the poet and his kind-hearted friend in giving it more extensive publicity. We therefore subjoin it:

*Hints respecting a Poem recently published, written by Robert Pollok, A. M., entitled, 'The Course of Time,' with a short account of the author, and specimens of his work. By the Right Honourable Sir John Sinclair, Baronet.*

By mere chance I heard that a work of great merit had been recently published by a young poet, (Mr. Robert Pollok,) entitled, 'The Course of Time.' As I think it a duty incumbent upon those

who are anxious to promote the literature of a country, to encourage talent whenever it appears, I lost no time in purchasing the work, and was delighted to find that it displayed great marks of original genius. The conception is grand, the execution masterly, and on the whole it seemed to me the most extraordinary production that had appeared for some time, more especially as connected with religious subjects. I was thence induced to inquire into Mr. Pollok's history, of which I learnt, from respectable authority, the following particulars :

The author, who was born in October 1798, is a native of Renfrewshire, in the west of Scotland. He has received a regular academical education, having studied at the University of Glasgow during ten sessions. 'The Course of Time' was published in May last ; and in the same month its author was licensed to preach. His health, however, had been so much impaired by his excessive exertions in preparing his poem for the press, and carrying on its printing, that, after a few trials, he has been under the necessity of relinquishing the labours of his profession ; and being threatened with complaints, which, in the opinion of some eminent physicians, render residence in a milder climate the most probable means of restoring his health, it has become indispensably necessary for him to repair to the Continent without delay.

The work has been fully as successful as, from its peculiar nature, could have been anticipated, the first edition having been already nearly disposed of. It has been favourably reviewed in various periodical publications ; and, indeed, its transcendent beauties cannot be questioned by those who will take the trouble of a perusal.

It is difficult to give a just idea of such a poem by extracts ; but the following passages will sufficiently prove that Mr. Pollok's powers as a poet are of the highest order :

I.—CHARACTER OF LORD BYRON, ABRIDGED.

Book 4. vol. I. p. 184.

— Take one example,  
A man of rank, and of capacious soul,  
Who riches had, and fame, beyond desire ;  
An heir of flattery, to titles born,  
And reputation, and luxurious life ;  
Yet not content with ancestral name,  
Or to be known, because his fathers were ;  
He on this height hereditary stood,  
And gazing higher, purposed in his heart  
To take another step. Above him seemed  
Alone the mount of Song—the lofty seat  
Of canonized bards ; and thitherward,  
By nature taught, and inward melody,  
In prime of youth, he bent his eagle eye.  
He touched his harp, and nations heard, entranced ;  
As some vast river of unfailing source,  
Rapid, exhaustless, deep, his numbers flowed.

————— All passions of all men,  
The wild and tame,—the gentle and severe;  
All thoughts, all maxims sacred and profane,  
All creeds, all seasons, Time—Eternity;  
All that was hated, and all that was dear,  
All that was hoped, all that was fear'd by man,  
He tossed about as tempest-withered leaves;  
Then smiling, look'd upon the wreck he made.  
With terror now he froze the cowering blood,  
And now dissolved the heart in tenderness;  
Yet would not tremble, would not weep himself:  
But back into his soul, retired,—alone,  
Dark, sullen, proud, gazing contemptuously  
On hearts and passions, prostrate at his feet.

As some fierce comet of tremendous size,  
To which the stars did reverence as it passed;  
So he through learning and through fancy took  
His flight sublime; and on the loftiest top  
Of fame's dread mountain sat: not soiled, and worn,  
As if he from the earth had laboured up;  
But as some bird of heavenly plumage fair  
He looked, which down from higher regions came,  
And perched it there, to see what lay beneath.

Proof this, beyond all lingering of doubt,  
That not with natural or mental wealth,  
Was God delighted, or his peace secured;  
That not in natural or mental wealth  
Was human happiness or grandeur found.  
Attempt how monstrous! and how surely vain!  
With things of earthly sort, with aught but God,  
With aught but moral excellence, truth and love,  
To satisfy and fill the immortal soul!  
Attempt, vain inconceivably! attempt,  
To satisfy the ocean with a drop;  
To marry immortality to death;  
And with the unsubstantial shade of time,  
To fill the embrace of all Eternity!

## 2.—DESCRIPTION OF ENGLAND AND SCOTLAND.

Book 5. vol. i. p. 222.

Nor do I aught of earthly sort remember,—  
If partial feeling to my native place  
Lead not my lyre astray,—of fairer view,  
And comelier walk, than the blue mountain-paths  
And snowy cliffs of Albion renowned;  
Albion, an isle long blest with gracious laws,  
And gracious kings, and favoured much of Heaven,  
Though yielding oft penurious gratitude.  
Nor do I of that isle remember aught  
Of prospect more sublime and beautiful,  
Than Scotia's northern battlement of hills,  
Which first I from my father's house beheld  
At dawn of life; beloved in memory still;  
And standard still of rural imagery:



What most resembles them, the fairest seems,  
And stirs the eldest sentiments of bliss;  
And pictured on the tablet of my heart,  
Their distant shapes eternally remain,  
And in my dreams their cloudy tops arise.

### 3.—EVENING HYMN IN PARADISE, ABRIDGED.

Book 6. vol. ii. p. 42.

Harps of eternity! begin the song;  
Redeemed and angel harps! begin to God;  
Begin the anthem, ever sweet and new,  
While I extol Him, holy, just, and good.  
Eternal, uncreated, infinite,  
Unsearchable Jehovah! God of truth!  
Maker, upholder, governor of all;  
Source whence we came, and whither we return;  
Who made our spirits, who our bodies made,  
Who made the heaven, who made the flowery land;  
Who orders, governs all;  
Who walks upon the wind; who holds the wave  
In hollow of thy hand; whom thunders wait;  
Whom tempests serve; whom flaming fires obey;  
Who sitt'st on high, and measures destinies,  
And days, and months, and wide revolving years;  
And dost according to thy holy will,  
Thy works all praise Thee; all thy angels praise;  
Thy saints adore, and on thy altars burn  
The fragrant incense of perpetual love.

### CHANGES IN THE MEDICAL DEPARTMENT OF BENGAL.

*To the Editor of the Oriental Herald.*

Sir,

Bengal, January 1827.

In the many changes which are taking place in the service of the East India Company in Bengal, there is none more remarkable than the disposition evinced by the Government to sink and depress the Medical Department on that establishment below the level on which it was accustomed to stand, by taking every opportunity to do away the advantages which were attached to seniority in that service, and to reduce allowances in the line generally. A late General Order placing superintending-surgeons (when absent from their corps) within the operation of the General Orders of 15th September 1824; as applicable to *Staff Officers*, which they were not liable to before; whereby they are nearly deprived of one-half their income, is an instance of this kind; while, but a short time before, general officers upon the staff were expressly exempted from the operation of these orders. Is not this, Sir, a most invidious distinction? Why should the Medical Department be subject to that which the military is relieved from? for in the two lines of service, and in their respect

tive duties, the superintending-surgeon is to the medical service exactly what the major-general on the staff is to the military; why, therefore, should the Government have thought it necessary, nearly in the same breath, to relieve the one and to oppress the other from the operation of this regulation? Formerly, a superintending-surgeon had the enjoyment of his full allowance in every situation; and the introduction of this regulation now is most unjust. For it makes it appear as if the step of *superintending-surgeon* was not a promotion, which it is admitted to be by orders of Government, but a mere staff appointment, which, it is as evident, Government do not consider it, but a specific rank. The allowances given to a superintending-surgeon is clearly not a mere staff salary, but, in its present form, it is intended as a consolidated allowance; he drawing with it only the personal allowances, pay, batta, &c., &c., of his former rank.

This, Sir, is what the service has now just cause to complain of, and what makes the extension of the above quoted General Orders, as now for the first time applied, to operate so severely and unjustly upon this class of public servants. In all other ranks of military promotion, the personal pay increases. In the King's army, when a medical officer is promoted to inspector, or to deputy-inspector, his pay rises in proportion with his corresponding rank; but a superintending-surgeon, which rank is in the Company's army synonymous with inspector of hospitals in the King's, receives a personal allowance the same as he did twenty years before, when he was an army surgeon; and to make up the difference, he gets what Government is now pleased to consider a staff allowance, equal to four times the amount of his personal allowances. Now, this mattered not when both these allowances were drawn in all situations; but then, by the operation of the late order, he is subject to lose one-half the larger allowances if sickness or other causes should move him ten miles from his post. He feels the gross and palpable injustice of the manner in which he is paid, when compared with the military officers, whose personal allowances increase with their promotion, and whose staff allowances, when they receive one, is not one-fourth of their personal allowances.

But it is in vain, Sir, for the Medical Service to hope for any justice to their interests from the Local Government of Bengal, by whom neither their interests nor the nature of their duties are understood. The Medical Board, it is believed, are never consulted, while the Government, with that confidence which ignorance often bestows, frames any rule which strikes its fancy, and thinks it infallible, until a few days experience proves, even to itself, the necessity of altering, correcting, and amending its own orders!! All this, Sir, may be well meant, but it disgusts the old servants of the Company; and if these, in their utter ignorance, go blindly to lay down rules for a department of whose duties they know nothing, these absurdi-

ties will follow; and are expected by all, but the wise in their own conceit, who concoct them.

It is to the authorities at home, and to the Court of Directors, that the department must look to save them from utter ruin. Let the Court do what it ought long ago to have done for the Medical Department: let it direct the name of superintending-surgeon to be abolished, and the *grade* and *rank* of inspector of hospitals to be introduced instead; let the actual receipts of superintending-surgeons remain as now, but have the income given in a different form; let the rank give, as it ought to do, an increase of *personal* allowances, and a proportionate decrease of the *staff pay*, and then, and not till then, will justice be done to a meritorious class of public servants, whom the Local Government appears most unfairly to have oppressed and mortified by every means within their power. I am, Sir, your most obedient servant,

A MEDICAL OFFICER.

*Note.—General Orders of Government, Fort William, 12th August 1821.  
On consideration of circumstances submitted in a Report from the  
Medical Board. No. 182 of 1826.*

1st. The Right Honourable the Vice-President in Council avails himself of the recent augmentation of the number of superintending-surgeons, and the concurrent changes in that branch of the Medical Service, to place those holding the situation under the operation of the General Orders of the 15th September 1821, in as far as those orders prescribe rules for the appropriation of the staff allowances of an absentee, and the portion of them accruing to the individual nominated to officiate in his stead. 2d. Unremitted medical superintendence being deemed of essential importance, it is hereby directed that whenever a superintending-surgeon may proceed beyond the limits of his medical circle, the officer commanding the division shall appoint, subject to confirmation, a surgeon of the Honourable Company's Service, within the range of the superintendency, to officiate, who will be entitled to the moiety of staff allowance forfeited by the absent superintendent. This rule will extend to the case of a superintending-surgeon on his first appointment, who will forfeit a moiety of his staff allowance until he enters upon the duties of his office, &c. &c. &c.

## DOUBTFUL QUESTIONS OF PRECEDENCE IN INDIA.

*To the Editor of the Oriental Herald.*

SIR,—Permit me to ask the following questions through the columns of your useful Publication:

Is a lady married to the younger son of an Earl, entitled to 'precedence in India,' or not? according to his Royal Highness the Prince Regent's warrant in 1817, wherein it is stated as follows:

'All ladies to take place according to the rank assigned to their

respective husbands, with the exception of ladies having precedence in England; who are to take place according to their several ranks (with reference to such precedence) after the wives of the members of Council at the presidencies in India.'

Proceed we now to inquire whether the wife of the younger son of an Earl has 'precedence in England'?

Upon referring to 'Debrett's Peerage,' it will be seen in the 'Table of Precedency of Women,' that the 'wives of the younger sons of Earls rank between 'daughters of Viscounts' and 'wives of the eldest sons of Barons;' therefore, I presume, it will not be denied that 'the wife of the youngest son of an Earl,' although that 'younger son' may be only a Lieutenant or Ensign in the service, is entitled to precedence in England; and we have only to consider how far that 'precedence in England' agrees with the Prince Regent's warrant of 1817. I hold, and so I imagine will most of your readers, that a lady married to a nobleman's son ought to take place in India (after the wives of members of Council) above the wives of all civilians, unconnected with the nobility, above the wives of our general officers, and, in short, above all ladies whose rank in the 'Table of Precedency' may be inferior to hers, setting aside, of course, the wives of the members of Council, whose rank is expressly provided for.

I will not trouble you with the decision given in Calcutta upon this point. It was there ordered that the wife of the younger son of a nobleman should assume no rank in India beyond that of her husband, thereby degrading ladies having 'precedency in England' to mere cyphers.

It was also understood that 'daughters of noblemen' were to take rank according to the Table of Precedency.

I will just put a question, Mr. Editor. Suppose the Right Hon. the Countess of Carnwath (the wife of a Major-General) was to meet in society a Mrs. —, or wife of a Lieutenant-General, the Countess 'must give place,' according to this reading of the warrant. Suppose the same lady met 'the daughter of a Baron,' must she give place again? The reasoning upon which this hypothesis is supported, appears absurd. I wish his Majesty would direct a fresh explanation of his royal warrant to be given by the Earl Marshal of England, to prevent such extraordinary collisions.

Trusting to see some correspondence upon this subject, I am, Mr. Editor, your very obedient,

Q. Q. Q. ???

## DESIDERATA AND INQUIRIES CONNECTED WITH THE PRESIDENCIES OF MADRAS AND BOMBAY.

THE objects of the Council of the Royal Asiatic Society in circulating the accompanying collection of Desiderata and Inquiries are, to excite Orientalists to furnish replies to these inquiries, to obtain additional inquiries connected with Madras and Bombay, and to procure materials for compiling a more extensive collection of inquiries relating to Bengal and our other Asiatic possessions.

### LANGUAGE AND LITERATURE.

Fac-similes of ancient inscriptions, with translations and alphabets of their characters.

Well-written alphabets of all the modern languages.

It is certain that the Hindoo languages of the South of India are not derived from the Sanscrit; and it is a tradition which this circumstance confirms, that the Brahmans, with their religion and language, came from the north. The question regarding the time when the *Vadamozhi*, or northern tongue, (the Sanscrit,) was introduced, is one of great interest.

A comparison of the different languages of the south, and an examination of what they have borrowed from the Sanscrit, will an accurate account of the geographical limits of these languages.

Which is the most ancient character in use in the South of India?

Is there any trace of a language which may be considered the parent of those now existing in Southern India? If so, what is its name? Where was it vernacular? And how far has it entered into the formation of the other peninsular languages?

Does the *Purvāda Hale Canada* answer in any degree this description? Some account of this language, with a well-written alphabet of its characters, as appearing in inscriptions, is believed, may be obtained from learned Jaina Brahmans. One of this sect, employed by Colonel Mackenzie, thoroughly understood it; and, if still living, might probably furnish the information here desired.

Copies and translations of the inscriptions at the caves of *Rehera*, in the island of Salsette, which are probably in this character, might be useful for this purpose.

Notices and catalogues raisonnées of libraries at Native courts, in pagodas, &c.; accounts of their foundation; how they are maintained; whether additions of books are occasionally made to them, and by what means they are obtained.

### HISTORY.

The ancient history, state, and institutions of the South of India, might be illustrated by materials of various descriptions in the hands of the Natives, and especially by MSS. relating to the ancient

government of the *Pándiyan*, *Chola*, and *Chera* dynasties. Such MSS. are believed to exist in the Tanjore country, at Trivalore, Combeconam, Seringam, Chillaambram, and in the Tondeman's country.

By genealogies of the several dynasties and considerable families.

By chronologies, registers, and records, sometimes preserved by official persons.

By prophecies, conveying, under that disguise, historical information with more freedom than would be permitted in any other form by Asiatic sovereigns.

By tales and popular stories, sometimes containing correct accounts of remarkable characters and events. The Mahratta Bakhirs are of this description.

By historical notices of changes of government, and of facts connected with local establishments. These are occasionally to be found in the ancient financial records.

In the temples and *Agrahárams* of the Brahmins, the *Matts* of the *Jangam* priests of the *Lingavant* sect, and the *Bastis* and temples of the *Jainas*, two species of records were kept :

1st. The *Mahatyams*, or religious legends, which appear to consist of passages extracted from the *Puránams* applicable to the local circumstances of the establishments.

2d. The *Stally Puránams*, which are carried from the earlier periods of real history to modern times. The latter detail the dates of the several grants to the Pagodas, *Agrahárams*, &c., the immunities and benefactions granted, and the benefactors' names, titles, and genealogies. Considerable information may be derived from these two classes of documents ; and there is reason to think that some of the most correct of them are still preserved by the *Jainas* and *Jangams*.

Historical accounts of the erection of religious and charitable edifices.

In the province of Tanjore there are many *Jainas*, principally *Shroffs*, and two or three ancient *Jaina* temples. There are also some *Jaina* temples in the neighbourhood of *Cánjaváram* ; and in all likelihood, on inquiry, they will be found to exist in the *Mysore*, in *Canara*, and in many other parts of the territories under the *Madras* Government. It is probable that, by an examination of the records and traditions in these temples, some authentic information may be obtained of the overthrow of the sect of *Jaina*, and the substitution of the *Brahmanical* system, as the tradition of the terrible and exterminating persecution which the *Jainas* suffered many ages past is still kept alive amongst them.

A history of the provinces of *Tinnevely* and *Madura*, and of the erection of the several pagodas and forts in those provinces.

A correct history of the reign of prince who reigned south of the *Coleroon* is much wanted. The name of *Trinát Naic* is rendered memorable from his magnificence, his able civil policy, and splendid

religious establishments. More than fifty temples erected by him throughout Madura and Tinnevely, in situations most judiciously selected, attest his piety, wealth, and taste; and it is supposed that many interesting particulars of his history might be collected in those provinces.

Can any connection be traced between the Princes of the Chola and Pándiyan dynasties and the Sovereigns of the Malayálam country? The name of *Sheran*, stated to be prefixed to that of *Permál* in the copper-plate grants to the Christians in the ninth century, suggests the idea of a connection having existed between them.

An account of the settlement of the various tribes of northern Brahmans on the banks of the Tambrapourmie river, in the province of Tinnevely, and on the irrigated lands of Tanjore and Trichinopoly.

An account of the origin of the Southern Poligars, and the means by which they acquired the lands held by them.

An account of the Cotta Vellálars in the Tinnevely district, and of the settlement of the Vellálars in the lands of the Carnatic Payghát, with a notice of the countries whence they emigrated.

The history of the Northern Circars, with an account of the Rushwar settlers in that province.

To ascertain whether any native histories exist of the invasion of the south-eastern peninsula by the Mohammedans and Mahráttas.

At Madura, it is supposed, that some notices are still preserved in the hands of the Brahmans, which may throw light on the ancient government and colonies believed to have migrated to the eastern and western parts of the coast; and in Malabar and Travancore, vestiges of the early colonization of Kerala, Malayálam, &c. are supposed to exist at present. Information on these subjects would be extremely interesting.

At Cochin, the Jewish establishment deserves notice; and inquiry should be made respecting the ancient records preserved among the Jews, and the ancient inscriptions on copper which they possess.

Does the town of Cochin give origin to an era of that name in use in the neighbouring districts?

#### ANTIQUITIES.

As there is reason to think that a general comparison of the antiquities preserved in different provinces would be the most effectual means of throwing light on the early history of Southern India, it is suggested that detailed descriptions of them, accompanied by drawings, be if possible furnished.

These antiquities may be generally classed under the following heads, viz.

1. Sepulchral monuments, mounds, and tumuli.
2. Single stones, on which rude figures of warriors are represented; and flat stones, with rude sculptures representing combats,

objects of worship, &c., either with or without inscriptions. These are in the Deccan denominated *Viracall*, or heroic monuments.

3. *Shásanams*, or inscriptions in various characters, cut in stone, on rocks, &c. These generally commemorate grants of land, &c.

4. Vases, urns, and lamps, of clay and metal.

5. Statues, whether those so remarkable for their size, and the uniformity of their sitting or standing attitudes, which belong to the Bouddhaic and Jain worship, or the more varied personifications of the Brahmanical system.

6. Sculptured excavations, as those of Mahámaleipur, &c.

With respect to the sepulchral monuments, it is desirable to ascertain whether there are any ancient capitals of sovereigns in their vicinity, to whom they might have served as burying-places. Some observations on the nature of the ground and surrounding localities will be useful in determining whether they were family tombs of dynasties, tombs of particular tribes or castes, the common sepulchres of large communities, or structures erected in commemoration of the slain in some remarkable battle.

Do any of the stones employed in building these sepulchral monuments appear to have been chiselled? Are the quarries near that supplied them, and do they seem to have been constructed by the labour of numbers, hastily collecting rude materials, or by workmen who had leisure to erect more elaborate structures?

Are there any circles of stone, great or small, surrounding these tombs, or any single stones of superior height and size, that might have been erected as particular marks or trophies?

Inquiries are suggested among intelligent Natives, relative to the traditions, &c. regarding these structures. The class of *Vaidias* or Native physicians, the *Jotishes*, or astronomers, and frequently the head ryots of villages, are recommended as the most intelligent and unbiassed sources of information.

#### COINS.

The great utility of coins in illustrating history, renders it desirable that either ancient coins, or accurate casts or drawings of them, should be collected.

The ancient coins found in the peninsula of India may be divided into four classes:

1. Roman and Greek, which are easily distinguished by the character and the outlines of the figures.

2. Mohammedan coins of the different dynasties, Arabic, Persian, Patán, Mogul, &c., and sometimes of the Caliphs who reigned previously to the first Mohammedan invasion. They are distinguished by inscriptions in Arabic or Persian, and few of them, excepting the Zodiac coins, have figures of any living creature. They are either round or square.

3. Hindoo coins of various descriptions, sometimes with only inscriptions in Sanscrit in the Devanágari character, but generally



distinguished by emblems of religion, by figures of deities and of animals, and by heads of sovereigns, frequently very rude. The most remarkable are the *Ráma Tanka*, a gold coin, convex on one side and concave on the other, on which the coronation of *Ráma* is represented; and the Canoge coins, on some of which is represented a king enthroned, on others an idol, &c.

4. Ancient Persian or Parthian coins, with inscriptions in the Pahlavi character, and sometimes in Greek. These are rarely found in India, and generally represent the fire worship on one side.

Curious coins are often presented at certain pagodas, as Tripatti, Trivalore, and Paddapollam. Chinese coins are also occasionally found on the sea-coast.

In describing coins, a distinction should be made between such as were intended for money, and such as served the purpose of medals.

#### COUNTRIES AND PEOPLE.

If there are any races in India with woolly hair, their history should be investigated, as they are probably not of Asiatic origin.

An account of the state of slavery in the peninsula, both domestic and agricultural.

An account of the Abyssinian slaves on the western coast of the peninsula, their numbers, and the date of their transportation thither.

Are there any traces of a colony of Abyssinians in Central India, or among the Vellálars of the Carnatic.

An account of military tribes; the composition, organization, discipline, and tactics of Native armies, and any elucidation of military institutions and the art of war, under the different empires which have successively existed in India.

An account of the Parsees, their numbers, religion, and literature.

The history of the small Jewish kingdoms in Southern Arabia which were destroyed by Mohammed.

Some account of the secret association at Rámeseram, which is said to be governed by laws much resembling those of free-masonry.

Particulars of the education of dancers and singers, with any rules, written or oral, regarding these arts; the rights of property in female dancers; the castes into which their children are admitted; and their customs with regard to the purchase of children, especially of the weaver tribe.

An account of the *Labbis* of the southern provinces of the peninsula.

Information relative to the practice of burying alive, which exists in the provinces north-west of Madras.

An account of any races of mountaineers whose habits and customs differ from those of the inhabitants of the neighbouring plains.

An account of the ceremonies and practices of the pilgrims at the temples in Central and Southern India ; particularly those of Trivalore and Paddapollam, in the Jageer, with specimens of articles presented as offerings at these temples.

An account of maritime tribes from Bombay northwards, and of the people inhabiting the banks of the Indus.

#### ARCHITECTURE.

A translation or abstract of the *Silpa Śāstra*, and some exposition of Hindoo architecture, including particulars of the building materials in use, especially the preparations of the various kinds of *chunam* and cement.

Details regarding the building of pagodas, forts, palaces, bridges, dykes, &c., with the dates of their erection.

The pagodas of Tripatty, Trincomalee, Chillambram, Cánjipuram, Seringam, and Rámeseram, are particularly worthy of notice ; and among the most remarkable forts are those of Gingee, Vellore, Chandernagore, Seringapatam, Pennakonday, Trichinopoly, Dindigul, and Palamcottah, with the durgas or hill-forts in the Baramahal, the Mysore, the province of Canara, &c. ; many of these are supposed to be very ancient. The works of Gingee may be instanced, which, with any particulars of the former governments of that place, would of themselves form a subject of curious inquiry.

The pagoda and town of Shiva Samudram, near the falls of the Cavery, deserve particular description.

A drawing of the bridge thrown over the Cavery at Seringapatam by the Dewan Poorneah, and called the ' Wellesley Bridge,' with an account of the manner of its erection and its dimensions, would also be highly interesting.

The Hindoo province of Tanjore escaped entirely the ravages of Mohammedan fanaticism, and all its institutions, religious and domestic, exist at this day in their original state. An authentic account of the magnificent temples in the fortresses and towns of Tanjore, Combaconum, Mayáveram, Trivalore, Manargoody, and Andiarcoil, would be extremely valuable. The sculptures in the temple of Andiarcoil are particularly recommended to attention.

#### DANDED TENURES, AGRICULTURE, &c.

Copies and translations of all kinds of deeds and instruments for the transfer of property, with a notice of the countries and periods to which they refer.

To ascertain, with respect to grants of land in general, whether the land itself is in any case bestowed by the grant, or only the landlord's share of the produce or revenue.

Is there any reason to think that tenures were established in the south of India by the princes of the *Chola* and *Pándiyan* dynasties, previously to the conquests by the Carnatic sovereigns, in the thirteenth, fourteenth, and fifteenth centuries.

Notices of the ancient and modern Hindoo systems of agriculture, and of the apportionment of the produce of the soil.

A statement of the proportion of Mohammedan to Hindoo cultivators in the several provinces.

An account of the local products of the soil, and of the various manures in use.

An account of the culture of the different kinds of indigo, of sugar, rice, and opium.

An account of the culture of tobacco, and of the date of its first introduction into India; and of the pepper and betel vines.

A description of timber trees, with a collection of specimens.

The history of the division of the produce of the soil between the cultivators of irrigated lands and the several provinces of the peninsula; when this division was first established; its cause; the original rates of division, and the increase or decrease of these rates under different sovereigns or governments.

An account of the extent to which irrigation is carried in Southern India, and of the works of art erected for that purpose, accompanied by drawings and plans.

An historical account of the *Annicut* on the river Cavery, and of the first conversion of the waters of the river Tambrapourne, in Tinnevely, to purposes of irrigation.

#### ARTS AND MANUFACTURES.

An inquiry into the state of the arts in general; the smelting of ores; refining and working of metals; works in ivory, wood, pottery, silk, cotton, &c.

Descriptions of Native processes for the preparation of various articles of domestic consumption: such as coloured powders, dyes, cosmetics, varnishes, gilding, real and imitative; and the other ornamental works which the Hindoos so skilfully employ in the decoration of wooden idols, toys, &c.

Models, drawings, or specimens of all kinds of implements, with descriptions.

A history of the rise and progress of navigation among the Arabs, and of the art of ship and boat-building, as well in their ports as in those of India. Models of grabs, dows, donies, masula boats, catamarans, and canoes, would materially illustrate this subject.

An account of the constitution of a musical band, and a description of the various musical instruments in use, with specimens.

An account of the musical notation of the Hindoos, with a history of their attainments in the science of music. Some of their most popular airs, as examples, would enhance the value of communications on this subject.

An account of the Gymnastic exercises of the Hindoos and Mohammedans; their arms and warlike engines, offensive and defensive; their method of taking wild animals and game, and the instruments employed for these purposes.

## NATURAL HISTORY.

Natural History in all its departments still offers a wide field of research in India. Many districts have been but superficially examined, as to their animal, vegetable, and mineral productions; and even the varieties of the human race have not been sufficiently considered. Communications on this branch of science would therefore be particularly valuable.

The principal rivers will probably furnish many new species of fish; and the various methods of taking them, as well along the coast and in harbours as in rivers, would form a good subject for investigation.

The method of conducting the several pearl-fisheries, their extent and annual produce, form a branch of this inquiry.

An account of the breeds of cattle in Guntoor and Guzerat, Mysore, and Vellore, and the cause of their exceeding so remarkably in size those of Tanjore, Malabar, and Canara; also an account of the various breeds of horses, both aboriginal and Arabian.

An account of the *Shen Nai*, or wild dog, accompanied by drawings or a skin. Does it attack the larger beasts of prey, and hunt in packs?

It has been observed in the extensive bamboo jungle on the western side of the peninsula, that tracts of the forest have simultaneously died, leaving bare patches of many miles in extent, and that destructive irruptions of wild elephants into cultivated districts, have on some occasions been owing to this cause. Does this phenomenon take place in other parts of India? Among other trees as well as the bamboo? and to what cause is it to be attributed?

## MISCELLANEOUS.

An account of Eastern caravans, or overland communications between Europe and India, both in ancient and modern times.

An account of the former and present state of the Pamboo strait between the island of Raméseram and the main, with a statement of the causes which have obstructed its navigation by large vessels.

It is suggested, that meteorological accounts be kept in all the cutcherries of Collectors, with a view to deducing thence a general meteorological account of the peninsula.

It also appears to be desirable that the meteorological register should be accompanied by the following introductory remarks, *viz.* 'An account of the height of the station above the sea, stating whether it is on table-land or in a valley; among hills or woods, near swamps or on dry ground. An account of the soil, the geological features of the neighbourhood, the mineral and vegetable productions, the source of the supply of water, and if from wells, their depth, &c.

It is requested that in any communications forwarded to the Society, the Native names may be written in the original character as well as in English.

# PRODUCTIVE AND COMMERCIAL RESOURCES OF FRANCE.

(Continued from the Article in our last Number, at p. 307.)

## Estimate of Power applicable to Manufacturing Industry.

A **PORTION** of the natural forces of mankind is employed in manufactures: and we have already shown that France contains 10,583,333 persons capable of being so employed, but that these are to be estimated as equivalent to no more than 4,203,019 effective labourers. In estimating the entire power applicable to manufacturing industry in France, we must take into our calculations the extraneous force which man calls to his assistance. In the first place, we must add to the amount of human force that which is furnished by horses.

The number of horses employed in the various labours of industry, carriage, draught, and riding, is estimated at 300,000.

The animate force employed in French industry may, therefore, be arranged as follows:

Inhabitants..	10,533,333	equivalent to	4,203,019	effective labourers.
Horses.....	300,000	.....	2,100,000	

Total of animate force, 6,303,019

Making a similar calculation for Great Britain, we shall have the following table:

Inhabitants..	10,000,000	equivalent to	4,264,893	effective labourers.
Horses.....	350,000	.....	1,750,000	

Total 6,014,893

Ireland and Great Britain 7,275,497

From these data it follows, that reckoning the animate force applied to manufactures only, the total in the three kingdoms exceeds that in France.

The following is a comparative table of the animate force applied respectively to agriculture and to manufactures in France and in the three kingdoms:

	France.	Three Kingdoms.
Animate force (agriculture)	37,278,587	32,008,147
Animate force (manufactures)	6,303,019	7,275,497
Total	43,581,556	39,363,644

Were our only consideration the animate force applied to works of utility, France would have a superiority of about one-seventh over the three united kingdoms; but having in view also the surface of territory of the two empires, we shall see, that in proportion, Great Britain affords subsistence to a much greater quantity of animate force than France.

We proceed to take into consideration the inanimate forces or agents applicable to manufactures, in order to complete the view of the total productive and commercial force of the two countries. We shall confine ourselves to the inanimate agents—water, wind, and steam. The total number of mills in France is reckoned at 76,000, among which must be counted 10,000 wind-mills. There remain, therefore, 66,000 water-mills, and it is easy to form an idea of the work which these can perform.

The total weight of grain of all kinds delivered for grinding is, on an average, seven millions of kilogrammes a-year. It is ascertained also, that the force necessary to grind 1000 kilogrammes is equal to a day's labour of 56 men. Seven millions, therefore, multiplied by 56, will give 392,000,000 days' work for the total force employed in the grinding of corn: this, divided by 300 working days, will give 1,306,666 men.

Supposing the work of the wind-mills in France to be equal to the force of 126,866 individuals, there will remain the labour of 1,180,000 men for the water-mills.

It may be asked what is the total power of the hydraulic machines used in forges, mines, and works of all descriptions.

It would be easy to show that this power cannot exceed the third part of that of grinding mills. We will take in round numbers 1,500,000 effective labourers to express the power of the water-mills and all the hydraulic machines of France. Without making any fresh draughts from the mass of waters never yet brought into use, the service of the waters now employed might be augmented a third at least, and a total motive power be immediately given to equal the animal labour of two millions of robust men, working three hundred days in the year.

I have assumed that the total force of the wind-mills devoted to grindage is equal to the annual labour of 126,666. I will double this amount in order to express besides, the force of wind-mills employed in the various branches of manufacture: the result will be, that the total power derived from wind, by the mills of France, is equivalent to the annual labour of 253,333 men.

I proceed to the force which the wind supplies to navigation. According to my calculations the motive force which the wind furnishes to the whole shipping of England, may be estimated as equal to the labour of twelve millions of men. As the shipping of France, forms, in the total, about a fourth in tonnage of that of England, the power of wind applied to navigation in France will be that of three millions.

It remains for me to speak of the power furnished by steam.

According to the result of my inquiries, the total force of steam-engines in France cannot be supposed to exceed that of 60,000

dynes, \* the effect of which equals the work of 480,000 men turning a winch.

Great Britain possesses in steam-engines a motive force of, at least, 800,000 dynes, equivalent to the power of 6,400,000 men turning a winch.

By bringing together the various results we have above stated, we get the following table.

	France.	Great Britain.
Mills and hydraulic machines..	1,500,000 men	1,900,000 men
Wind-mills .....	253,333	240,000
Wind and navigation .....	3,000,000	12,000,000
Steam engines .....	480,000	6,400,000
<b>Total</b>	<b>5,233,333</b>	<b>19,840,000</b>

From this table it appears that in the present state of the two empires, the total of the inanimate force applicable to the works of all kinds, in France, is scarcely more than a fourth of the same force in Great Britain.

General table of the power employed in manufactures and commerce :

	France.	Great Britain.
Animate force.....	6,303,019	7,275,497
Inanimate force.....	5,233,333	19,840,000
<b>Total manufacturing force..</b>	<b>11,536,352</b>	<b>27,115,497</b>
	Ireland	1,002,667
		<b>28,118,164</b>

Thus the force applied to manufactures and commerce in the three kingdoms is nearly treble that of France.

Let us now compare the total force of the two countries :

	France	The Three Kingdoms.
Agricultural force.....	37,278,537	82,088,147
Manufacturing force.....	11,536,352	28,118,164
<b>Total</b>	<b>48,814,889</b>	<b>60,206,311</b>

Summing up generally the animate and inanimate force employed in agriculture and manufactures, we shall find :

	France.	The Three Kingdoms.
Animate force .....	43,581,556	39,363,644
Inanimate force .....	5,233,333	20,842,667
<b>Total</b>	<b>48,814,889</b>	<b>60,206,311</b>

\* A dyne is equal to 1000 kilogrammes, raised to the height of a thousand metres. Eight workmen, turning a winch, can in a day raise a thousand kilogrammes to the height of 1000 metres, that is to say, can perform a dyne of labour.

The tables which we have thus given, may furnish matter for comparisons of the greatest importance. They serve to prove that the quantity of agricultural force in the two countries is in proportion to the produce of the soil; and that the totality of the force employed in manufactures is, likewise, in proportion to the total amount of manufactures at their commercial value.

Having thus exhibited the comparative productive powers of France and the British Empire in 1826, we proceed to present a similar statement, formed on approximative estimates, for the epoch of 1780. From this we shall perceive the vast changes that have taken place in the comparative resources of the two epochs.

About the year 1780, the population of France amounted to 24,800,000 inhabitants; that of the three kingdoms was then:

In Great Britain.....	8,500,000
In Ireland.....	4,000,000

Total	12,500,000
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The respective productive and commercial forces estimated in effective labourers, at the same period, may be thus stated,

	<i>France.</i>	<i>The Three Kingdoms.</i>
Animate force.....	34,583,106	27,226,572
Hydraulic machines and wind-mills	1,209,560	1,054,460
Marine (wind.).....	3,000,000	3,000,000
	<hr/> 38,792,666	<hr/> 31,281,032

COMPARISON OF THE TWO EPOCHS, 1780 AND 1826.

*Productive and commercial force estimated in effective labourers.*

	<i>France.</i>	<i>The Three Kingdoms.</i>
1826.....	48,814,889	60,206,311
1780.....	38,792,666	31,281,032
	<hr/>	<hr/>
Increase in the space of 40 years,	10,022,223	28,925,279
Average increase per annum....	217,092	628,010

In order to render these results still more conclusive, we will give the number of individuals of our species, of all ages and sexes, which it would require to form an equivalent to the productive and commercial force possessed by

	<i>France.</i>	<i>The Three Kingdoms.</i>
In 1826 .....	109,207,032	134,405,604
In 1780 .....	86,883,638	70,059,997
	<hr/>	<hr/>
Increase in 46 years .....	22,323,394	64,345,607
Average annual increase .....	485,291	1,398,817

Thus, in the space of the 46 years which have just elapsed, the augmentation in the agricultural, manufacturing, and commercial industry, and in the natural population of the people has added every year, on an average, to the force of France, that of 217,092 effective labouring men; to the force of the three kingdoms, that of 628,010.



This augmentation might be represented by human labour alone, on supposing that the augmentation of the population has been annually, during this lapse of time, 485,291 for France, and 1,898,817 for the three kingdoms.

The temporary distress which has affected Great Britain, has induced some superficial observers to imagine that the prosperity of that empire is arrived at the point at which it must begin to retrograde. A single glance at the statements we have just presented, will be sufficient to prove the contrary to all who are willing to learn how to appreciate justly the value of the productive and commercial resources of empires. As long as the increase of these resources shall continue to make such gigantic strides as those we have been measuring, the wealth of Great Britain, far from retrograding, or remaining stationary, will even augment more and more, in spite of the imprudence, or the madness, it may be termed, of a great number of her speculators.

It would require a volume, and a very comprehensive exposure of details, to show by what means it can have happened, that in the space of 46 years, a country, not so large as France, and not nearly so populous, has been able to augment, in a triple degree, its productive and commercial means. I propose to explain the secret of this great disproportion in my work on the productive force of Great Britain.

#### *Comparison of the Productive and Commercial Forces of France with those of Great Britain.*

If we deduct from the total force connected with manufacturers, the particular portion applied to navigation and carriage, and which, consequently, has for its object the transfer of produce, there will remain for the force employed in production, in France, 6,436,352; in the three kingdoms, 11,948,164.

It is remarkable that the value of the manufacturers' produce in the two countries, bears a very sensible proportion to their respective natural productive forces. In fact, with a natural productive force of 6,436,352 effective labourers in France, the manufactured produce is estimated at 1,800,000 francs: and at the same rate, 11,948,164 effective labourers, that is to say, the number of persons in Great Britain who are employed in manufacture would produce, according to valuation in French prices, a total amount of 3,340,000,000 francs. These amounts in value correspond with those given by the best writers of recent times on French and British industry. Thus, with regard as well to manufactures as to agriculture, the amount of the respective forces which our calculations have furnished, will fairly represent the comparative value of each class of the produce of the two countries. It would be highly interesting that similar estimates should be made of the forces of all

the great empires of the universe ; they would afford most valuable information with respect to their power and resources in war and peace. It is to be hoped that the different governments will institute the enquiries necessary to furnish the means of making the calculations we propose. From such sources we might be able to form comparative surveys of the progress and decline of divers people and of generations.

The results of our statements appear calculated to dissipate many illusions which national vanity makes us too ready to cherish. They show us what efforts are necessary on our part ere we can equal the industry of our formidable rival ; at the same time they show us that the difference at present existing between France and Great Britain, is far from presenting that desperate inequality of which some writers have given an alarming picture.

In an article of the 'Quarterly Review,' No. LXVII., on the history and prospects of English industry, the productive power of this industry is compared to that of foreign industry, and the following result obtained : \*

*Les travaux industriels de la Grande-Bretagne (pour la fabrication des cotons seulement) ne pourraient pas être accomplis par soixante-deux continents pareils au continent Européen, en ne supposant à celui-ci qu'une industrie moyenne prise sur la totalité du globe.* (1)

Since the manufacturing force of France is to that of the Three Kingdoms as 6,436,352 is to 11,948,164, that is to say, at the least, as one is to two, it seems difficult to imagine how it would require sixty-two continents, such as that which contains France, to manufacture all the cotton which is spun and woven in Great Britain, even supposing the productive power of France much less than it really is.

A simple calculation will confirm all that we assume on this head. Let us suppose, carrying even still further the view of the British writer, and diminishing as much as possible the average industry of the universe—

1. That the two hundred million of inhabitants of the European continent, omitting France, have a force applicable to manufacture double only that of the 31,600,000 French.

2. That the 800 millions of Asiatics, Africans, and Americans, have a similar force of the same nature, also double only that of the 31,600,000 inhabitants of France.

3. The result will be, that the manufacturing force of the universe would be equal to five times that of France, and as France

\* The following are the original passages in the 'Quarterly Review' (No. 67, p. 93.), to which the French writer evidently alludes ; and which we, therefore, give from that work itself, numbered to correspond with the French passages in the text.

(1) *« Her total industry could not be performed by sixty-two such continents as Europe in the average condition of the world. »*

contains a thirty-third part of the inhabitants of the globe, it would follow that the five thirty-seconds of the French industry would represent the average industry of Europe, omitting England. If we multiply by five thirty-seconds, the manufacturing force of France valued at 6,436,352 effective labourers, we have for average value of the manufacturing force of the Universe, supposing an equal population :

1st. To that of France . . . . .	1,005,680
2d. To that of continental Europe . . . . .	6,365,063
3d. To that of 62 European continents . . . . .	394,633,906
Productive manufacturing force of the three kingdoms	11,948,164

Thus the estimate of the 'Quarterly Review' proves to be 33 times too much.

The writer of the 'Quarterly Review' will say perhaps, that he only meant to speak of the *cotton* manufacture. Be it so—let us examine the value of his assertions, regarding them in that light.

We will state in round numbers the value of raw cottons employed for spinning and weaving during the year 1824, at 567,000,000 francs for France, and at 133,000,000 francs for England.

We may then judge of the following assertions of the 'Quarterly Review,' made at a venture, in order to inspire the English with an extravagant idea of their industry.

'Quatre Europees, dans leur état actuel, ne pourraient pas filer et tisser autant de coton que l'Angleterre.' (2)

Whereas four such kingdoms as France would spin and weave to the value 226,800,000 francs of cotton, that is to say, to the amount of 93,800,000 francs more than England does.

'L'industrie anglaise doit être équitablement (*fairly*) regardée comme étant quatre fois plus grande que celle de tous les autres continents pris ensemble.' (3)

Four times all the continents must be taken to mean at least four times France, and we have just seen how much this number of kingdoms such as France, would exceed in industry the three British kingdoms. What shall we think then of the following assertion?

'Seize continents pareils à l'Europe ne pourraient pas manufacturer autant de coton que l'Angleterre.' (4)

(2) 'All Europe, supposing it as industrious as England, and wholly occupied by cotton, could not, unassisted by machinery, spin and weave as much of that material as England now does.'

(3) 'The manufacturing industry of England may be fairly computed as four times greater than that of all the other continents taken collectively.'

(4) 'Sixteen such continents as Europe, in the average state of industry of the whole world, and exclusively occupied by cotton, could not manufacture so much of it as England now does.'

We have proved that, only 16 such countries as France would manufacture seven times as much cotton as England does.

To crown all its hyperboles, the 'Quarterly Review' tells us,

'L'industrie moyenne de l'habitant de l'Angleterre est mille fois aussi grande que l'industrie moyenne d'un individu de toute autre contrée du globe.'\* (5)

Yet the writer whom we cite, becoming a little more moderate, is willing to admit an error in his estimate, to the amount of four-fifths, and to content himself with taking two hundred times the average industry of the Universe, for the minimum of British industry, supposing an equal number of individuals in England.

If it excites our compassion when we see sovereigns abandoning themselves to flatterers, and becoming intoxicated with extravagant praises, what shall we say of a whole people who are to be captivated by similar adulations? But I have too high an opinion of British good sense, to doubt, that the English will perceive in the end, all the absurdity of these complimentary statements. I cannot, however, abstain from a remark which unfortunately is too well justified. The British writers reproach us unceasingly with what they call French vanity, with our over-rated esteem for our countrymen, and our admiration of our native land. While they load us with such reproaches, we have an instance, in this their parallel of the productive power and the industry of their island, with the industry and productive power of the whole universe, of the pitch to which they carry their own blindness and their rhodomontade.

Since the peace, the annual augmentation of the resources, both productive and commercial, of France and Great Britain, far surpasses the average amount which we have given above. In France this augmentation is equal to the work which a million of persons, of all ages and sexes, without the assistance of any other force, would perform. In Great Britain the annual augmentation exceeds the power of two millions of persons of every age and sex, unaided by extraneous force.

Confining our attention to the human force alone, we submit the following comparison of the annual increase of this force in seven different European nations :

*Increase in every million of Inhabitants.*

In Prussia. . . . .	27,027
In Great Britain . . . . .	16,667
In the Netherlands. . . . .	12,372
In the Two Sicilies. . . . .	11,111

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(5) 'But this ratio must be multiplied by the entire population of the world, divided by that of England; and the superiority of our eighteen or twenty millions of subjects will thus be at least as one thousand to one, over the average power and condition of mankind at large.'

*Character of Native Converts.*

In Russia . . . . .	10,527
In Austria . . . . .	10,114
In France . . . . .	6,536

Supposing the annual increase to continue at the same rate, among the nations just enumerated, the population would be doubled.

In Prussia in . . . . .	26 years.
In Great Britain in . . . . .	42
In the Netherlands in . . . . .	56½
In the Two Sicilies in . . . . .	63
In Russia in . . . . .	66
In Austria in . . . . .	69
In France in . . . . .	105!

And thus France would descend by degrees below Prussia, Great Britain, the Netherlands, Russia, and Austria.

This is the alarming result which it behoves us to urge on the consideration of our statesmen, and on the energetic patriotism of our good citizens, as a motive for the united efforts of all Frenchmen, whether of public or private station. By this indispensable concurrence of all persons and parties, the increased development of our national resources may be made to raise us from this lowest position on a scale which furnishes a sure index of European prosperity. Let us forget, as did the ancient Romans in the time of great public need, every sentiment of discord and hatred, to think only of the safety, the grandeur, the glory of the country, and of the monarchy. Is it possible for us to ascend, among the great European nations, from the lowest to the highest point of augmentation? I think it is. But what are the means to be employed? Writers of more abilities than I possess, will point out those means, and in greater number and of more efficacious power, than any which I can devise. For my country's sake I shall rejoice at their doing so; and I exhort them to enter, without delay, on so noble a career. For myself, I merely attempt at present to set up a few landmarks, and to point out a few errors. This is the object of my work.

CHARACTER OF NATIVE CONVERTS.\*

Our readers are not now to be informed of the great sums that have been expended, and the many lives that have been lost in the cause of Christian Missions in India; but what have been the actual fruits of those Missions is still considered by many to be a matter *sub judice*. One fact appears indisputable, that no Natives of wealth, of learning, and of respectability, have become professed converts to the Christian faith, but that they are almost all, if not altogether and

\* From the 'Bengal Chronicle.'

without exception, taken from the inferior castes and classes of Native society. We are certainly among the last to maintain that poverty is in itself a disgrace, that ignorance is a sin where the means of knowledge have not been possessed, or that the poor and the ignorant have not as clear a right to choose a religion for themselves as the most noble and learned of the land; but when we find that from amongst a numerous and needy population such as that which covers the face of India, a few hundreds of poor and ignorant people, perhaps the poorest and the most ignorant of all, and the most addicted, as the poor and the ignorant always are, to the prevailing superstitions, are the only converts made by the preachers of a new religion professed by the conquerors and rulers of the country, we confess that this fact suggests an inference not the most creditable to their motives, which, even without any direct evidence, we should feel it almost impossible to dislodge from our mind.

In opposition to this inference, drawn from general considerations, and tending to impugn their sincerity, the most direct and positive evidence to the uprightness of their conduct and the goodness of their moral character, has been given by the Serampore Missionaries, who of all others have had the amplest means of forming a correct judgment. In the 'Monthly Friend of India,' for May 1820, they assure the public that the Native converts employed by them are 'the most upright among all their Native servants,' that they are 'correct in their morals, and upright in their conduct,' and that among several hundreds in their service they find none 'equally faithful and correct in their moral conduct.' In the 'Quarterly Friend of India,' No. VII., which is also edited by the Serampore Missionaries, they describe the Native Christians as superior to their countrymen 'in industry, probity, and every virtuous feeling as well as in information;' and that as a body, 'by their steady, upright, temperate, and sincere conduct, they leave all the Natives behind whom the Missionaries have known in India during the fourth of a century.' This is strong testimony, stronger could scarcely be given, and the opportunities of information possessed by the writers cannot be doubted.

Others, who have not had so good opportunities of information as the Serampore Missionaries, but who were likely to form a more impartial judgment from the fewer data which they possessed, have pronounced a less favourable opinion, and have been supported by a reference to several most condemnatory facts, the correctness of which is not denied, and the force of which cannot by any explanation be avoided. The first of these facts that we shall notice, is the presentation of a petition to the late Bishop Middleton by seven Native converts, complaining that the promises held out to them, by which they had been induced to forsake their former religion, were not realized. The supposition that any such promises were ever given by the Missionaries, we of course put altogether out of the question, knowing as we do that it is utterly unfounded; but the allegation of

such promises by the converts sufficiently indicates that in changing their religion they contemplated a *quid pro quo*. It has been maintained, indeed, that the petition being written in high flown English was unintelligible to them, and that they were in fact unacquainted with its contents. To make them arrant fools, instead of a very common sort of rogues, may suit a purpose, but it will not convince those who have had the means of being acquainted with the men; and we further know, on the most undoubted authority, that those very converts, with several others, were about that time in the habit of making unasked visits to the person who prepared the petition for them, and that he only threw into an English dress those complaints which he had frequently heard from their own mouths. The second fact which we shall adduce, has connection with a controversy on doctrinal points, in which a distinguished Native was sometime ago engaged with the Serampore Missionaries. Several of the Native converts, learning the nature of the dispute, volunteered their services, and offered, for due consideration given, to commence forthwith a preaching crusade against the Missionaries. The offer was declined, but it has left no doubt on the minds of all impartial persons that the converts consider their faith, or their profession of faith, as a commodity which it behoves them to make the best of, by selling it to the highest bidder. Let it be observed, also, that a statement of this affair has been before the public for more than two years, without any attempt being made by the Missionaries, as in the preceding case, to deny, explain, or palliate it by any subterfuge. We refrain from commenting on a similar transaction in which we were ourselves concerned, equally indisputable and undisputed in all its details, and furnishing precisely the same conclusion as to the motives and character of the converts. We the more willingly do this, that we may hasten to make our readers acquainted with the third and last fact—not the last in our list, but the last that we shall mention on the present occasion. The principal particulars happen to have been recently furnished by the Serampore Missionaries themselves. In that same publication which has sounded forth the praises of the converts for steadiness, sincerity, uprightness, and every virtuous feeling. However, before offering our comments, we beg to present our readers with the text, being an extract from a notice of the proceedings of the Calcutta Auxiliary Church Missionary Society, which appeared in the ‘Monthly Friend of India’ for May 1826:

‘On the premises at Mirzapore, a small Native Christian community now reside, consisting, it is said, of 18 baptized adults and eight children, of whom, eight of the adults, and seven of the children, have been baptized during the past year. No information is given in the Report respecting the conversion of these persons, or whence they came; we shall therefore endeavour to supply the deficiency as far as our knowledge extends. A very considerable majority of the whole, adults and children, have been drawn from Serampore, or the other Missionary stations connected with it. Of the 18 adults, eight, it seems, have been baptized at Mirzapore during the past year: of the previous ten, are the follow-

ing: Roon and his wife, Rottun and his wife, Luke's wife Mary, Gungarayan, \* Kanace Lal, and we suppose, Fureed, whose baptism took place up the country—in all, eight persons: the others came, perhaps, from Burdwan and Meerut. Of the 15 baptized during the past year we believe we (i. e. the Serampore Missionaries) might claim 11; but we do not exactly know who among them rank as adults, and who as children. Their names are Nubeen and his wife, Cheentamunee, the wife of Vishwanath, Jutee Lal and his wife, Peter and his wife, John the son of Nripot Sing, Russeek the son of Rottun, Bene the orphan boy of our late excellent brother Bykonta, and Jutee-lal's infant. Besides these 19 out of the 24, there are six more who will probably be introduced in due time, namely, Shushee and her son and daughter, with Shadoo, Ramojoy, and Mudun, formerly students in Serampore College. There is a cause for all this—but we shall not enlarge further on the subject, than to say, that such is not the way to carry on Christian Missions."

In this passage there is evidently something more than meets the eye, and that we may let our readers into the *arcana* of the affair, we must inform them that the Serampore Missionaries belong to a particular body of Dissenters, and that the Missionaries who reside at Mirzapore, (a place in the native part of Calcutta,) are members of the Church of England. The simple fact, then, appears to be this, that the Mirzapore Missionaries being animated with a very extraordinary degree of zeal, and having no proportionate degree of success, in the work of conversion, held out certain pecuniary inducements in the shape of a higher rate of wages to the Serampore converts to forsake their dissenting instructors. The converts, to the amount of 20 or more, very willingly closed with the proposal, and are in consequence at this moment sitting within the pale, and enjoying the smiles, of the established hierarchy. With the private complaints, explanations, and apologies that may have passed between the two parties, we have nothing to do; but we think it right to add that, as far as we know or have been informed, no public attempt has been made by the Mirzapore Missionaries to vindicate themselves from the public charges against them, strongly implied, if not expressed, in the passage we have quoted above from the 'Friend of India.' However this may be, the character and motives of the converts hitherto can, we should think, no longer be made a subject of doubt. This is a view of the subject which does not appear to have occurred to the Editors of the 'Friend of India,' but to those who have noted their former exaggerated praises of the Native converts it is the very first that would present itself. We could have wished, indeed, if, in addition to the feelings of irritation which they not unnaturally express, they had given some indications of satisfaction at having discovered the hypocrisy of a set of impostors who had suc-

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\* This is the man who obtained so much favour from Ram Mohun Roy, and while with him regained his caste as a bramin. He has again thrown aside his poita, with expressions of sorrow for his apostacy, which we hope may be sincere.—*Ed. of Friend of India.*



ceeded for so many years in deceiving them, and in making them the instruments of deceiving the Christian world. This, however, was perhaps too much to expect from them, and we are content that they have left us to draw this inference, and to point the public attention to it. We trust, however, whatever may be publicly admitted or denied, that the frequent recurrence of these and similar cases will suggest more caution both to the Missionaries and the public, and lead to an improvement of that system of proselytism, that has hitherto been pursued with a success so limited in its range, and so fallacious in its results.

### AFFAIRS OF THE DECCAN.

THE following remarkable facts have been brought to light by the late cause against Mr. Elphinstone and Captain Robertson, tried at Bombay, and adverted to in our last. The facts are taken from official documents, and refer to Mr. Elphinstone and the Government having directed the execution of *martial law*, even to the extent of *death*, both in the Deccan, when Mr. Elphinstone was Commissioner, and since, throughout the whole of the Bombay territory.

On the 15th of December 1818, Mr. Elphinstone was appointed sole Commissioner of the Deccan, by an official letter, written by Mr. John Adam, as Secretary to the Governor-General, in the following words :

'I am directed to inform you, that the Governor-General is pleased to appoint you sole Commissioner for the settlement of the territory conquered from the Peishwa, and to vest you with authority to be exercised according to the established principles and rules of the service; and all Civil and Military officers will be required to conform to your instructions.'

Mr. Elphinstone, two months afterwards, namely, in February 1819, appointed Lieutenant Dundas Robertson, a subaltern of the Bombay army, *sole Judge*, with full civil and criminal jurisdiction, *sole Magistrate*, *sole Collector* of the revenue, and with all the other different functions in the city of Poona and the adjacent country, which gave this military officer absolute power over the population and ancient city of Poona, and a very large district around it, Poona being, as is well known, the capital of the Maratta Empire, and one of the most populous cities in India.

In the same letter in which Mr. Elphinstone appoints this subaltern countryman of his, *sole Judge* over a much larger population than is comprised within the jurisdiction of the Supreme Court of Bombay, he directs him to execute *martial law* in the following words :

'When a village has once submitted, any practices in favour of the enemy must be punished as acts of rebellion by *martial law*.

The commanding officer at Poonah will be directed to assemble a court-martial for the trial of such persons as you may bring before it, and to inflict capital punishment immediately on conviction. The same course must be adopted with regard to persons in Poonah, who shall conspire against our Government, and likewise with all banditti who may assemble in the neighbourhood of the capital. I particularly call your attention to the necessity of inflicting prompt and severe punishment on persons of this description. Prisoners taken from bodies of Bajee Row's troops, who may pass through your district, in the course of military operations, must for the present be regarded as regular troops; but parties sent to plunder the country are in all cases to be considered as freebooters, and either refused quarter, or put to death, after a summary inquiry where there is any doubt of their guilt.

It is unnecessary to do more than to offer a few brief observations on these proceedings.

1st. The illegality of directing the execution of martial law at all. Nothing but the necessity of each individual case can justify it, and any general direction to execute it must, therefore, be illegal.

2d. The illegality of directing the execution of martial law under Mr. Elphinstone's powers, which, by his appointment, 'were to be exercised according to the established principles and rules of the service,' of which martial law certainly was not at that time one.

3d. The vesting a subaltern officer of the army with such powers.

4th. Joining the office of judge and of executioner, by martial law, in the same person.

5th. The indifference with which Mr. Elphinstone talks of capital punishment, refusing quarter, and putting to death.

6th. That these directions should be given whilst Poonah was in the undisturbed possession of the British power, and in perfect tranquillity; and whilst courts of justice, before which all these persons might have been brought, were not only established, but actually sitting, before Lieutenant Robertson. Let us suppose, for instance, that any person had been tried before the King's court for putting a Native to death under these instructions, either for refusing quarter, as it is termed, to a freebooter, or a person conspiring against the Government, or for putting him to death after a summary inquiry,—can there be any doubt that such person must have been convicted of murder? No wonder, when such orders as these are issued, that we hear of officers like Lieutenant Fenwick putting persons to death in cold blood, or refusing quarter, as it is called, when the parties, to whom it is refused, have never attempted resistance. But is the officer who obeys these instructions half so guilty as his superior who issues them?

To proceed: Mr. Elphinstone took his seat as Governor of Bombay on the 1st day of November 1819, and on the 15th day of

February 1820, that is, in little more than two months after he had so taken his seat as Governor, he passed a regulation to authorise the Government to suspend at any time the functions of the criminal courts of justice, to establish martial law therein, and to direct the *immediate* trial of persons by courts martial, and then immediate punishment of death, 'by being hanged by the neck till they are dead.' Lest this statement should not be credited, we annex a copy of the regulation.

A. D. 1820.—*Regulation I.*

'A Regulation for declaring the powers of the Governor in Council to provide for the immediate punishment of certain offences against the state by the sentence of courts-martial. Passed by the Governor in Council on the 16th February 1820, corresponding with the third Falgoon Sood Sumbut, or Vehramajet era, 1876; Balbahan, 1741; and 1st of Termadyoolavul, 1235, of the Hijra.

'Whereas, during wars, in which the British Government has been engaged against certain of the Native Powers in India, certain persons owing allegiance to the British Government have borne arms, in open hostility to the authority of the same, and have abetted and aided the enemy, and have committed acts of violence and outrage against the lives and properties of the subjects of the said Government; and whereas it may be expedient, that during the existence of any war in which the British Government in India may be engaged with any power whatever, as well as during the existence of open rebellion against the authority of the Government, in any part of the British territories subject to the government of the Presidency of Bombay, the Governor in Council should declare and establish martial law within any part of the territories aforesaid, for the safety of the British possessions, and for the security of the lives and property of the inhabitants thereof, by the immediate punishment of the persons owing allegiance to the British Government, who may be taken in arms, in open hostility to the said Government, or in actual commission of any overt act of rebellion against the authority of the same, or in that act of openly aiding and abetting the enemies of the English Government, within any part of the territories above specified; the following regulation has been enacted by the Governor in Council, to be in force throughout the British territories immediately subject to the government of the Presidency of Bombay, from the date of its promulgation.

'II. The Governor in Council is hereby declared to be empowered to suspend or to direct any public authority or officer, to order the suspension of, wholly or partially, the functions of the ordinary criminal courts of judicature within any zillah, district, city, or other place, within any part of the British territories subject to the government of the Presidency of Bombay, and to establish martial law therein, for any period of time, while the British Government in India shall be engaged in war with any Native or other power;

as well as during the existence of open rebellion against the authority of Government in any part of the territories aforesaid, and also to direct the immediate trial, by courts-martial, of all persons owing allegiance to the British Government, either in consequence of their having been born, or of their being resident, within its territories, and under its protection, who shall be taken in arms, in open hostility to the British Government, or in the act of opposing, by force of arms, the authority of the same, or in the actual commission of any overt act of rebellion against the state, or in the act of openly aiding and abetting the enemies of the British Government within any part of the said territories.

‘ III. It is hereby further declared, that any person born, or residing under the protection of the British Government, within the territories aforesaid, and consequently owing allegiance to the said Government, who, in violation of the obligations of such allegiance, shall be guilty of any of the crimes specified in the preceding section, and who shall be convicted thereof, by the sentence of a court-martial, during the suspension of the functions of the ordinary criminal courts of judicature, and the establishment of martial law, shall be liable to the immediate punishment of death, and shall suffer the same accordingly, by being hanged by the neck till he is dead. All persons who shall, in such cases, be adjudged by a court-martial to be guilty of any of the crimes specified in this regulation, shall also forfeit to the British Government all property and effects, real and personal, which they shall have possessed within its territories at the time when the crime of which they may be convicted shall have been committed.

‘ IV. The Governor in Council shall not be precluded by this regulation from causing persons charged with any of the offences described in the present regulation to be brought to trial, at any time, before the ordinary courts of judicature, or before any special court appointed for the trial of such offences, under regulation X., 1819, instead of causing such persons to be tried by courts-martial, in any cases wherein the latter mode of trial shall not appear to be indispensably necessary.’

This is the regulation, and these the instructions, of ‘ the amiable Governor of Bombay.’ Let us add to this the mention of a simple fact: Whilst Mr. Elphinstone was Commissioner of the Deccan, and residing at Poonah, three Brahmins of high rank in the Mahratta Empire, not military men, were ‘ promptly and severely punished’ for an *alleged conspiracy* against the British Government, by being *blown away* from guns, by the direction of Mr. Elphinstone. Thousands of others were executed, it is said, in the ordinary manner, by martial law; but the ‘ prompt and severe punishment’ of these three Brahmins made a little noise, *even* in India, where every ebullition of popular feeling is kept down by those who hate as well as dread its expression.

## ROCKETS IN INDIA.

To the Editor of the Oriental Herald.

London, August 6th, 1827.

SIR,—The following short account, just received from Meerut, may not perhaps be unworthy your notice; and if you can find room for it, you will oblige

A CONSTANT READER.

My dear \_\_\_\_\_,

Meerut.

I have the pleasure to acquaint you, that some of the rockets lately re-filled by Captain Parlbey, of the Bengal Artillery, were fired yesterday without a single failure. General Heynel was present, and expressed himself highly gratified by the complete success of the rocket practice, and he only lamented that there were none of those formidable weapons at Bhurtpore. The rockets all ranged most beautifully, and Captain Parlbey may be congratulated upon the complete success of his manufacture of this powerful weapon.

N.B. The rockets here mentioned, are part of 3000 war-rockets which were sent out by Sir W. Congreve in 1821, and which on trial were all found so bad and useless, that when the army was going against Bhurtpore, and the rocket-troop was to have accompanied it, all these rockets were condemned, and sent down to be emptied and re-filled by Captain Parlbey, who accordingly filled them with his own composition.

*Range of Rockets fired from the Eastern Battery.*

24—32 pounder rockets.

	Yards.
Three rockets from each range. { 20 degrees elevation, average range . . .	1000
25 ditto . . . . .	1120
30 ditto . . . . .	1180
35 ditto . . . . .	1600
40 ditto . . . . .	2080
46 ditto . . . . .	2210
50 ditto . . . . .	2283
54 ditto . . . . .	2123

These had shafts of saul (an Indian wood) 12 feet long.

12—18 pounder rockets.

	Yards.
Three rockets from each range. { 20 degrees elevation . . . . .	1303
25 ditto . . . . .	2133
30 ditto . . . . .	2233
35 ditto . . . . .	2270

These shafts were of saul also, and 10 feet long.

## SUMMARY OF THE LATEST INTELLIGENCE CONNECTED WITH THE EASTERN WORLD.

THE latest advices from any part of India, extend only to the middle of March, up to which date we have received papers from Madras and Bombay, and from Bengal to the beginning of the same month. In pursuance of our expressed intention to make the contents of the '*Oriental Herald*' more exclusively *Indian* than ever, we have made ample selections from the contents of these papers, and interspersed them with the original articles in the body of the work, wherever the subject was sufficiently separate and complete in itself to admit of this being done; reserving, for this department of the News, such shorter paragraphs as may be more conveniently classed under this general head, beginning, however, with the information communicated to us from private and exclusive sources.

### EAST INDIA COMPANY'S CHARTER.

The first incident we have to mention is one of considerable interest and importance, as evincing, in the first place, a striking proof of independence in an English gentleman, sitting as a judge in one of the East India Company's Courts of Justice in India; and in the next place, a striking example of the opinions entertained, even in that country, of the uncertainty of the tenure by which its government is at present held.

In a law-suit of some magnitude, decided by the Sudder Dewanny Adawlut, or Native Supreme Court at Calcutta, between two individuals, the Government of the East India Company tendered, in the usual form, its security for the party in whose success it was interested,—such security being required in consequence of a further appeal of the case to the King in Council,—on which occasion Mr. Courtenay Smith, the Chief Judge of the Native Court, recorded his opinion to the following effect :

'Appeals to the King in Council remain undecided for years. The Charter of the East India Company has not long to run. After its expiration, whether it will be renewed, or whether the King will assume the government, or what will happen, is uncertain. Therefore, he (Mr. Courtenay Smith) was of opinion, that the security of the Indian Government should not be taken in the case.'

This opinion had occasioned considerable sensation in India, and has been officially reported by the Remembrancer of Law Suits to the Governor-General in Council, who had referred the matter home, for the orders of the authorities in England.

### EMOLUMENTS OF OFFICE.

A Correspondent who has given some attention to the subject of India, and especially to the consideration of the vast drain which our system of rule creates on that country, says, in one of his letters;

'I should like to see a paper in the '*Herald*' on the subject of the

enormous incomes of the officers of the Supreme Court, who are mostly sinecurists. For instance, the Master, 96,000 rupees per annum, (9600*l.*) The Registrar, 84,000 rupees, (8400*l.* sterling.) The Prothonotary, 72,000 rupees, (7200*l.* sterling.) Clerk of the Papers, Sworn Clerk, and Sheriff, *each* about 45,000 rupees, (4500*l.* sterling.) In all, *six* lacs of rupees, (60,000*l.* sterling,) per annum, are thus sweated from suitors!! At Madras and Bombay, there must be a similar process. Six lacs, *exclusive* of the profits of attorneys and barristers!

We need only add to the wish of our correspondent, a hope that some one possessing the requisite information, and residing on the spot, will be induced to furnish us with the details he wishes to see published; and we pledge ourselves, if they come in an authenticated shape to give them the publicity desired.

#### REVIEW OF SIR JOHN MALCOLM'S WORK.

We are glad to observe, in the papers of Bengal, discussions on the leading portions of Sir John Malcolm's last work on India. It is in that country that its defects will be most clearly seen; for here, in England, the general ignorance is such as to incapacitate ordinary readers, and ordinary critics, from forming a just opinion of its facts and reasonings. We transcribe, from the '*Bengal Chronicle*' of January 23d, a passage referring to that work, which may be read with advantage here:

'We come now to notice the gallant author's views of that most momentous question, the continuance of the Company's monopoly. It is one, however, which involves so many important considerations, and presents to the mind in its probable and immediate effects and ultimate consequences, so much matter for deep reflection, that we do not pretend to be ready to discuss so vital a proposition in all its bearings, even if it were possible to do so in the space to which our remarks must necessarily be limited: but we are prepared to do what is widely different both in importance and difficulty, viz., to offer a few observations on the opinions of Sir John Malcolm upon it. The article in our last, in reference to his work, will have prepared the reader to anticipate that the author is a strenuous advocate for the continuance of the monopoly; but we rather think that the arguments adduced by him in support of this opinion are not likely to produce many converts to it. In a note on this subject, Sir John Malcolm maintains, that "the Charter of the Company is perpetual." The act of 1813 renewed, indeed, he says, certain "territorial and commercial privileges of the chartered Company, for a certain term, but the charter does not expire with that term." This only shows how a man of considerable talent may be misled, by certain motives, into blunders which men of ordinary practical knowledge, free from any such bias, would never commit. If Sir John Malcolm had studied the constitution of his own country with half the zeal and perseverance he has devoted to that of the laws and institutions of India, he would have known that no charter could be perpetual under that constitution, for, whenever its existence is deemed injurious to the national interests, the same power which granted can annul it, viz., the Legislature. How, then, can the charter of the Company be perpetual? It might just as well be argued that a corrupt Parliament could confer in perpetuity privileges destructive of the constitution itself, and that no succeeding Parliament could revoke the disgraceful enactment. Either then, Sir John Malcolm,

with all his abilities, has yet to acquire a knowledge of the constitution of his own country, or his intemperate zeal in behalf of his honourable masters has led him to advance a proposition which he must know to be untenable. At this very moment it is a question in Great Britain, whether that charter, which the gallant author affirms to be perpetual, will be suffered to exist after the year 1833; and if it be renewed, that renewal will, undoubtedly, be regarded as a sacrifice to peculiar causes, justifying and demanding a departure from the enlightened policy on which the measures of the present administration are professedly founded. In short, such a renewal will be opposed to the spirit of the age, which is hostile to monopolies, and equally repugnant to the wishes of the nation: How far in this the voice of the people, whether it predominates or not, may be consistent with the interests of this country, and indeed of Great Britain,—interests which must be inseparable so long as we retain our possessions here,—is another question, and one into which we shall not now enter. Sir John Malcolm, so far from conceiving that any alteration which may be made in the form of government of this country, when the question of the renewal or abrogation of the charter is discussed, should diminish the power of the Company, or, in other words, loosen the ties of their monopoly, is of opinion that their power should be increased, or the bonds of that monopoly drawn closer.

“The opinions we have been noticing are not stated in consecutive order, but occur incidentally before the consideration of the great question to which they refer is formally entered upon by the author, as if to prepare the reader, by an occasional hint of this kind, for those views of it which he subsequently develops. Another example of this occurs in the following extraordinary passage, introduced amongst the arguments advanced to support the propriety of selecting servants of the Company to fill the offices of members of the Board of Control: “The education of the youth who enter the service of India is liberal: their occupations abroad are of a character to enlarge their minds. The evils and misfortunes they continually contemplate, as arising from despotic rule, must render them more attached to the free government of their native country, and no great class of men can be placed under circumstances more calculated to give them extended views of national policy, or to qualify them for different public duties,” &c. Such language would seem almost to justify the inference that there is yet one important species of knowledge in which Sir John Malcolm is deficient—the knowledge of mankind; for we will venture to say that the position, that men become enamoured of freedom from the constant contemplation of tyranny, though it unquestionably have the merit of originality, is utterly opposed to all experience of human nature; besides which, Sir John loses sight of the fact, that the very men in whose minds the contemplation of despotism is to produce a love of freedom, or to use his own words, “render them more attached to the free government of their own country,” are called on in too many instances to play conspicuous parts in this admired drama of despotic government.

“The preceding remarks advert, as we have said, to passages incidentally introduced in discussions foreign to that of the question of the renewal of the charter. The following is a quotation from the author’s consecutive observations on that subject:

“If we desire that our rule over India should be permanent, we must take care that its constitution shall suit that of England, and we must view the operation of the latter, not at any moment when extraordinary causes produce extraordinary effects, but as it is in ordinary times. We cannot, for instance, calculate



upon ministers remaining so long in office, and being so strongly supported by public opinion, as the present are. These circumstances may render them less dependent on patronage than any of their predecessors have been, or any of their successors are likely to be; but suppose opposing parties nearly balanced, will the successful party hesitate at any means within their power to maintain themselves? And when their adversaries prevail, what changes might we not anticipate? Such changes habit has rendered not merely familiar but beneficial to England; but if they extended to India, their frequent occurrence would sap the very foundations of our power; for it is not too much to add, that our hopes of preserving that Empire must rest chiefly on our being able to keep its administration from the certain injury consequent to its being subject to the influence of the politics in England.

The foregoing arguments are meant to show the evil effects which we may anticipate to India, and eventually to England, from the abolishing of the East India Company, as a medium for the Government of India; but the danger to be apprehended is not so much from the amount of patronage that would fall into the hands of the ministers of the Crown, as the manner in which the latter, from their obligations and the frequent changes to which they are subject, would be likely to exercise it. The patronage of the Crown has, of late years, apparently greatly increased, but the strength gained by this part of our constitution has been more than counterbalanced by the increased influence of public opinion on every measure of the state. We have seen, however, that the salutary check which this constitutes neither does nor can apply in any efficient degree to the administration of India, that country being too remote and its interest too imperfectly understood, to admit a hope of advantage from such influence. On the contrary, there is cause to fear that the action of public opinion at home might give rise to measures which, while they brought partial and doubtful benefit to Great Britain, would be productive of serious injury to India.

There is one consequence of the transfer of the Government of India to the Crown, which the author seems entirely to have overlooked. It is, that its affairs must inevitably become a subject of more frequent discussion in the Legislature, and consequently excite that attention in the country to the want of which we owe the continuance of many evils, and the perpetuation of many blunders, in the existing system, that would otherwise have been long ago remedied. Yet Sir John Malcolm considers that the supervision of the Legislature would not operate as a sufficient check on our Indian Administration, while, at the same time, he is of opinion, that the influence of public opinion on the measures of government is on the increase. There appears to us something very nearly akin to inconsistency in these opinions. If the influence of public opinion be really increasing, any change which would constantly subject the measures of the Government at home to it, would surely be productive of benefit to the governed. Whether that advantage would be outweighed by evils greater in number or magnitude, involves the whole question of the policy of abrogating the charter, a question we have disclaimed the intention of discussing. We agree entirely with Sir John Malcolm, however, that in order to insure not only the permanency of our rule, but the happiness of the governed, in India, (if, indeed, these are not one and the same,) its constitution should suit that of England. Its complete assimilation must, of course, be a work of time; but, as a first step towards the accomplishment of this end, we would advocate the introduction of a Free Press, and the withdrawal of all impediment to the settlement of British subjects in any portion of our Eastern dominions. We shall seize another occasion to advert to Sir John Malcolm's opinions on a Free Press and Colonization in India; meanwhile, we may observe, that with regard to the former more espe-

cially, whatever the world at large may think of them, the gallant author is quite satisfied with them himself, and has given his speech at the India House in an Appendix as quite conclusive on that subject.

! 'The measure of separating the office of Governor-General of India from that of Local Governor of Bengal, which the author recommends, would, it appears to us, provided the powers of his high station were well defined, and rather more limited than Sir John Malcolm would seem to desire, be attended with advantages; for at present the Supreme Governor of India is a Governor-General only in name almost; and, in order to exercise that general supervision of our extensive dominions which the designation of his high office implies, it is necessary that he should be separated from the details of the government of Bengal, and that, in fact, as Sir John advises, there should be a local government subordinate to him, so that, in fact, his duties should be confined to the general government of the country, and his voice alone determine the great question affecting its political, commercial, and judicial administration. He would, of course, besides the aid of Secretaries (selected for their talents) in the political, judicial, military, and revenue departments, be at all times able to command the information of those very men who are now his Councillors, without being liable to have the measures suggested by his wisdom impeded by their opposition. His power would undoubtedly be immense; but his responsibility would be proportionate; and, in order that it might operate effectually in checking that tendency which is inherent in man to abuse power, it should be subjected to the salutary control of a Free Press, not at the distance of 14,000 miles, where it can only expatiate on evils which are past remedying, but on the spot, where its influence may prevent their occurrence.'

#### NATIVE TRANSLATIONS OF THE SCRIPTURES.

The controversy respecting the labours of the Serampore Missionaries still continues; and in the 'John Bull' of January 22, are the following remarks on that subject, to which are prefixed two quotations from a letter, addressed to us some time since, to which these observations are intended as a reply:

"My colleagues have, during the last 26 years, executed translations of the entire Scriptures into only six languages, and have only four others in the press.

"The most unequivocal proof that these translations are in general intelligible, may be gathered from the reception they have obtained among the Natives. Of their fidelity, let those judge who have attempted to translate some of the most difficult portions of the Epistles into their languages."—J. C. MARSHMAN'S Letter to the Editor of the 'Oriental Herald.'

"We could appeal to few who have not heard the tale of the Serampore Missionaries having translated the Scriptures, or the greater part of them into no fewer than thirty languages of the East;—and we all know the encomiums which at home have been lavished upon the talents, industry, to and erudition, which could have accomplished this labour. Will our readers believe, that in the letter to the Editor of the 'Oriental Herald,' now Mr. John Clarke Marshman denies the truth of this story, and asserts, that it was never told by the Missionaries, but emanated from the enthusiasm of their friends at home, and owes all its exaggeration to them; the Serampore brethren having translated into only six languages, besides four on which they were engaged at the date of this letter; all the rest

being versions into the different dialects of one or other of those languages. He claims, however, for all these the merit of being generally correct and intelligible, although not free from many errors; and one would imagine that he is in possession of the field of argument uncontradicted by any Oriental scholar.

Now, we would ask Mr. Marshman whether, when he was giving the statement to the Editor of the 'Herald,' he did not know that the labours of his friends at Serampore had been submitted to the ordeal of criticism, in the case of the Mahratta translation; and that a scholar in Oriental literature had, in the pages of the 'Quarterly Magazine and Review,' declared that "the language into which the 'Serampore Mahratta Testament' is translated, is not Mahratta, either in all its words, its construction, or its idiom; and, hence, it is quite unintelligible to all persons whose vernacular dialect is Mahratta?" In proof of this character given to the Mahratta translation, does not Mr. Marshman know, that the first 36 verses of the Gospel of St. John were selected by the critic in the 'Oriental Magazine,' and shown to be any thing but a faithful and intelligible transcript of the original and sacred text, and the whole version pronounced to be of the same character! Why did he not tell his friends in England, that the labours of the brethren had at least been subjected to critical examination?—He might, if he could, have added, "ignorantly, and without effect;" but we are left to presume, that because he did not add this, he has not noticed the examination at all! It is alleged by the critic, that in the 18th verse of the chapter, where this expression is found in our translation: "No man has ever seen God at any time;" the Serampore Missionaries render the passage into Mahratta thus: "No one having seen has ever found God;" and, says the same critic, "the 32d verse presents this extraordinary and highly irreverent translation:"—"I saw descending from heaven the Spirit like an oil;" and, again, in the 36th as well as the 29th verse, the expression, "Behold the Lamb of God," is translated, "Behold the young of the sheep of God;" a periphrasis perfectly indefensible according to the critic in the 'Oriental Magazine,' because there is a word in Mahratta for "a lamb," and the word employed by the translators is not a Mahratta word at all.

The Missionaries have all along maintained, that the versions which they have executed into the Native languages are "sufficiently accurate and perspicuous to become, under the Divine blessing, the means of salvation." They may be right in the value they put upon their labours, although the writer in the 'Oriental Magazine' endeavours to show that they are wrong; but when such attempts to undervalue their works were made on the very spot where they are executed, we cannot reconcile it to that candour and honesty which ought to be brought to this subject; of all others, to find Mr. John Clarke Marshman representing to the people at home, that the worth and excellence of their versions are so universally acknowledged in India as he seems to maintain.

At the latter end of January, the Chief Justice of the Supreme Court in Bengal, and the Advocate-General at the same presidency, were both so unwell as to be unable to attend their public duties, in consequence of which there was a suspension of business at the Court. The papers of the same date say, that Major-General the Earl of Carnwath had embarked in the H. C. S. Regent, then at

Saugor ; and that Mr. Harrington, a member of council, was shortly to proceed to England, to be succeeded in his seat by Sir Charles Metcalfe, Bart., then at Delhi, to which place Sir Edward Colebrooke, Bart., was to go as his successor.

#### THE MONEY-MARKET IN INDIA.

The following observations on the state of the money market in Calcutta, occur in the 'Bengal Hurkaru,' of January 22d :

A general scarcity of money, and sudden and extreme fluctuations in the money market, have been for a long time serious and general causes of complaint amongst men of business in this city. A contemporary mentions that an attempt is now making to dispose of a large quantity of Company's paper amongst the natives in the Upper Provinces, which, if successful, is expected to relieve the pressure which is now felt here. The wants of the Government may, however, still affect the market, which will scarcely return to a state of abundance till it is clearly ascertained that Government are not again likely to be borrowers. We have heard that it is in contemplation to establish a new bank ; if it is to be merely a private concern it cannot be expected to afford much greater facilities than those already existing, but if a public joint-stock bank could be brought into operation, quite unconnected with Government, and reserving its capital wholly for the legitimate objects of banking, there is no doubt that it might be the means of affording much relief to the trading community. The affairs of such an institution ought to be entirely open, as its utility would greatly depend upon the public confidence in its stability, and complete publicity would place it out of the reach of these reports which tend to shake credit, and which too often derive plausibility from a system of concealment leading to the very natural inference, that there is something that will not bear examination. It may be thought that a bank unconnected with Government could not command a great circulation for its paper. A great circulation is not at all desirable or necessary to the success of such an establishment. It is much better that the accommodation afforded by it should rest upon the solid foundation of capital, than upon a paper circulation, the facility of increasing which has proved a dangerous temptation to the most wealthy banks, and has even led the Bank of England far beyond the limits of prudence, as we have seen during the last year. The money-market of Calcutta must for a long time be subject to more violent fluctuations than those of Europe ; because we are too distant from any other great place of commerce to be easily relieved. A change in the value of money to the amount of one half per cent., in London or Paris, instantly alters the exchanges of all Europe, and restores the equilibrium ; even the late unexampled distress has not raised the rate of interest, it has only caused a stricter scrutiny into the security offered. We are differently situated ; we must be more completely dependent on our own resources, and for that reason a public institution, which would have the effect of retaining a large capital for the purposes of commerce, which would otherwise be invested in fixed securities, or remitted to Europe, would be of more value to Calcutta than to other commercial cities, who nevertheless acknowledge the great advantages derived from such establishments when judiciously conducted."

#### DINNER TO LORD COMBERMERE.

A public dinner was given to Lord Combermere, by the officers of the H. C. Artillery, at their cantonments at Dum Dum, in the latter end of January, to commemorate the anniversary of the capture of

Bhurlpore. It was prepared with great splendour, and attended by the principal public functionaries, and some of the leading merchants of Calcutta. The principal speakers on the occasion were Colonel Swiney, and Colonel Bryant, both of the Bengal army, and the festivity of the evening was much heightened by the eloquence of both. It was followed by a ball, and a night attack, by rockets, mortars, and guns, upon a mimic representation of the fortress of Bhurlpore, which was executed to the admiration of all present.

#### STAMP TAX IN CALCUTTA.

The Stamp Regulations intended to be introduced into Calcutta, occupies a large share of public attention. The following remarks on that subject, occur in the Calcutta Chronicle of January 30th.

"If the silence of the press may be considered a safe criterion by which the interest taken by the public, on any subject, may be estimated, it would seem that the intended Stamp Tax is to be submitted to, without any appeal to the constituted authorities here or at home against its imposition.

"It has been asserted here, that the regulation, in virtue of which this tax will be enforced, does not require registry in the Supreme Court; and the clauses in the act of 1813, which empower the local governments, with the sanction of the Court of Directors and the Board of Control, to levy duties of customs, &c., have been appealed to in support of this opinion. Our view of their import is that they do not authorize the imposition of a stamp tax, for, although, in the preamble of the first of these enacting clauses, the words "duties upon customs and other taxes" are employed, these other taxes are, it will be seen, afterwards specified, and no mention is made in such specification of a stamp tax. We infer, therefore, that any regulation to impose such a tax may be specially pleaded in, and that it may be rejected by, the Supreme Court.

"This, however, is a question on which we hope the Court's opinion will be ere long decidedly expressed; but, for the sake of argument, we shall admit that the interpretation, which would supersede the jurisdiction of the Court in the matter, is correct. This being so, what is the situation of the subject in this remote quarter of the British dominions as regards taxation? This is a matter which merits the serious consideration of our fellow-subjects in this country, and we hope soon to see some proof that they are alive to its importance. Meanwhile, we feel it our duty to offer such remarks as occur to us upon this momentous question.

"The most zealous advocate for the continuance of the existing system, never yet ventured to contend that somewhere or other, be it at home or here, the subject should not be heard against the imposition of laws by which he might consider himself aggrieved. What then is the case with regard to the tax now about to be levied here?

"In the Supreme Court, established for the protection of the Nèges against the illegal encroachments of government in their rights; we are told the subject cannot be heard against the coming grievous impost. To whom then can we appeal? The Local Government? That is the very source of the grievance. To the Court of Directors? They have approved of the tax. To the Board of Control? They have sanctioned the imposition of it. No appeal then to any of these authorities is likely to be attended with success. Of the Privy Council it behoves us to be wary in expressing our opinion, and we shall only observe, therefore,

that constituted as that body is, or as it may at any time be, at the will of the president who summonses the members, it is not an assembly to which this community could appeal, with any reasonable hope of success, against a measure which has already obtained the approbation of the Court of Directors and Board of Control.

What then is to be done? In the case of America it was argued that the Colonists were virtually represented; and so, undoubtedly, they were. That is to say, though they did not send members to parliament, their interests were in some way, (defectively indeed,) represented in the legislature, and every measure or regulation affecting them was fully discussed in parliament before it could become law; they were heard somewhere and in some way, in fact, against it. But with British India how widely different is the case: here a law which will enhance the already enormous cost of appeals to justice, and impose additional burthens on the already depressed commerce of the country, and the most ordinary transactions of business, is concocted in the secret conclave of a council chamber, without any reference to those whose interests are to be most deeply affected by it, thence forwarded to Great Britain in the same secret manner, there approved of by a body (the Directors) who are to benefit by it, and sanctioned by the Controlling Board, then returned fully confirmed, and the first intimation of such a tax is conveyed to the body of the people in this distant region, in the very regulation that subjects them to its operation; so that they can only appeal against it when they already feel its effects, and when the profit derived from it to those who have approved of its imposition has steeled them against any appeal for its removal.

In such a case there is only one course left to our fellow-subjects, and that is to unite in an appeal to the legislature of their country. A meeting must be held for this purpose, and to such a meeting we feel assured the government would not object. In the discharge of what they conceive to be their duty to their honourable employers, they may of course recommend such measures for the improvement of the revenue, as may seem to them consistent with the actual circumstances of the country; but they must feel that Great Britain has a far more honourable object in the preservation of her dominion here than gain; and they cannot, consistently with the promotion of that object, oppose any appeal of the subjects of this great empire, against laws which they consider destructive of their interests or invasive of their rights.

#### MALIGNANT SPIRITS IN INDIA.

We advert, with great reluctance, to the never-dying malignity with which our old enemies in India still endeavour to misrepresent all that appears in the pages of this work. We should have thought that by this time they had had their fill of revenge. But it seems their thirst for vengeance is insatiable. Happily the influence of their calumnies is not felt here—not, we believe, even in a single instance, though so much pains has been taken by the reverend head of this persecuting faction, to prejudice our friends in England by the gratuitous transmission to them of his revived slanders, re-compiled in an appendix to his article on the Indian press, and sent home in separate packets, separately addressed. Not an individual here, as far as we can learn, has been moved by the thousand times refuted, heaps of falsehoods which it contains: We are proud to

see that in India, too, his labours have been equally unproductive of evil to us, if we may judge from the manner in which they are spoken of in the following paragraphs. The first is from the 'Bengal Hurkaru,' which says :

'When the article, purporting to treat on the press in India, which appeared in the 'Quarterly Oriental Magazine,' was lauded and quoted in a cotemporary, (the 'John Bull') we thought it was our duty to notice it, and we believe we then showed plainly what was its real aim ; knowing that the circulation of the Magazine was so very limited, we should not have thought it necessary to notice the paper at all if it had not been for the detached specimens which found their way into somewhat more extensive circulation by their insertion in a newspaper. Since then, means have been taken to perpetuate that article and the other libels that have appeared in a cotemporary on the character of Mr. Buckingham. The whole have been printed in the shape of a pamphlet, to perpetuate, as it were, the most remarkable trait in the character of the author and compiler of the worthless tract before us : that trait is, an unquenchable thirst for revenge. We shall say very little on this matter, for we never think on it but with disgust ; but if such a work were allowed to pass without remark on the spot where it has been published, those persons who may read it in England, who are ignorant of the facts, might draw exceedingly erroneous conclusions from the silence.

'The unhappy man, too, (for unhappy he must be) who has compiled and composed the pamphlet, is absent ;\* and few, be they ever so closely connected with him, would be found willing to defend his cause, even if it were capable of defence : we shall, therefore, speak as leniently of him as this last unwise attempt to ruin the character, as he has done the property of Mr. Buckingham, will allow us.'

After many arguments in condemnation of the article and pamphlet referred to, not necessary to be repeated here, the writer thus concludes :

'We shall say no more on the pamphlet, and in what we have said our pen has been restrained : it will serve, however, to show the British public, if the work should be noticed, how it was viewed by the Indian public ; for we are bold to assert, that we have only expressed their sentiments in a very moderate and subdued tone. We are glad to see that there are symptoms of shame betrayed in the title-page of the book, for it bears neither a printer's nor publisher's name.'

'This was succeeded on the following day by the subjoined observations in the 'Bengal Chronicle' :

'It was not our intention to have bestowed the slightest notice on an infamous pamphlet issued from the 'John Bull' press, containing a republication of the article on the Indian Press, in the last 'Oriental Magazine,' and of all the libels of the 'Friend to Banks' *et id genus omne* against Mr. Buckingham ; but as the 'Hurkaru' of yesterday contains a manly and feeling denunciation of this malignant production, and has thus given it some degree of notoriety, we hold ourselves bound to intimate our concurrence in those remarks of our cotemporary by something more than a mere republication of them, though they have given

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\* The Rev. Dr. Bryce, the person, here referred to, was temporarily absent a few weeks from Calcutta at this period.

expression to our sentiments in language better calculated to do justice to them than any we can employ.

'As the 'Hurkaru' justly remarks, even had the charges against Mr. Buckingham been as strictly true as they are pre-eminently and notoriously false, the revival of these charges against him without any provocation or excuse after a lapse of four years, since their first publication, would have been totally inexcusable; as it is, the act is a piece of cold-blooded, calculating malevolence, which nothing recorded in the history of mankind can surpass. The friends of Mr. Buckingham, however, have one ample consolation for this venomous assault on his fame: while it cannot possibly injure him, it is sure to recoil on the heads of those in whose unfeeling hearts it originated. Even amongst the most strenuous opponents of his political principles, there is not one, save the Reverend "veteran in the ranks of discussion" and his immediate connections and partizans, whose feelings will not revolt against this uncalled for display of malignity, to the extent, we hope and trust, of producing a re-action of sympathy in behalf of its object. Thus does malice, as Shakspeare says of ambition, sometimes "overleap itself, and fall on the other side;" that is, on those who cherish it.'

Sometime after the publication of these animadversions on the conduct of this reverend editor, and after a short respite from his calumnies, occasioned by his temporary absence from Calcutta, (for nothing else, it would seem, could effect even their temporary abatement,) we find that his return to the Presidency was marked by a resumption of his old practices, in reference to which, the '*Bengal Chronicle*' of the 4th of February, has the following remarks:

'Notwithstanding the severe castigation which the 'Bull' has received from several quarters, for the false and unfounded charges he preferred against Mr. Buckingham, we still find him persevering, with a spirit of malignity peculiarly his own, in the endeavour to maintain something like a position, though without the smallest tittle of proof. Driven from every subterfuge to which he had resorted, he adopts the only alternative left him—that of disbelieving the assertions of the Editor of the *Oriental Herald*, and even ventures to boast that he has heard but one opinion of the language, which he, in his zeal for our holy religion, reprobated so strongly in his paper.'

'But accusations such as these, unsupported by any proof whatever, must recoil with double force on the head of the man who makes them. Were Mr. Buckingham accused of the basest falsehood in a printed statement, bearing the signatures of six of the highest and most respectable members of this society,—did he stand convicted of a breach of private confidence by and to his best friend,—were he charged with libels which a judge declared he could not even think of without horror,\*—we confess we should have entertained some fears for his reputation. But viewing him as we do, a man whose character, after he has passed the inquisitorial examination of thousands, both here and in England, has appeared "pure as the unsunned snow," we may laugh at the attempts of the reverend editor, to attach any thing disreputable to him. He may be inclined "to pay compliments to the Civil Service;" (and we recollect the fawning sycophant of old,) but he should be careful how he does

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\* All this has happened to Dr. Bryce.



it at the expense of Mr. Buckingham, lest the brilliancy of the reputation of the one, throw a light upon the surface of the other, and the officious intermeddling man of the world be revealed instead of the divine and respected minister of the gospel.'

We turn to a more inviting subject; and, while we thank our zealous defenders, shall in future leave the angry spirits of the East to vent their rage at will, secure in the approbation of those to whom we are most intimately known, and from whom no act, or even thought, of our lives is concealed. Let them submit themselves to such a scrutiny, and see whether they will come out of the trial as pure.

#### THE BURMESE AND PEGUESE.

The latest observations we find in the Bengal papers on the subject of the war between the Burmese and Peguese are the following, from the 'Calcutta Chronicle,' of February 6.

'The late war between the Burmese and the British, and the consequent accession of territory to the Company in an eastern direction, give an interest and importance that would not otherwise have been felt as the struggle between the Burmese and their former vassals the Peguese, which commenced almost immediately after the evacuation of Rangoon by Sir Archibald Campbell. The commercial intercourse that has hitherto been carried on with Rangoon will also be materially affected by the continuance and results of this struggle, and we shall therefore attempt to lay before our readers a sketch of the late and present position of the two parties, derived principally from the information of a gentleman whose intimate acquaintance with the character of the people, and the state of the country, entitle the communication with which he has favoured us to be regarded as correct and authentic. We retain his orthography of proper names.

'The Peguese have been subject to the Burmese Government since they were conquered by Aloung-Poora about the year 1757. They were so effectually subdued, that they have not attempted from that period to the present time to re-assert their independence. Many thousands of them at that time, and occasionally since, have emigrated to Siam or Yodaya; but enough have remained in their country to constitute them, by the natural course of increase, a numerous and, if united, a strong body of people. They have also kept up among themselves, although in all civil and religious transactions incorporated with the Burmese, the use of their own language, which differs radically and essentially from that of the Burmese. Some change, also, has been occasioned by inter-marriages which have taken place between themselves and the Burmese, but there is still among them an original and distinct character. Since their subjugation, they have dispersed themselves, for the various purposes of life, into different parts of the empire, but much the largest proportion of them have attached themselves to their own soil, where they have pursued their occupations, and possessed common advantages in an equal degree with the Burmese, though none have been raised to very high and important civil offices.

'When our troops invaded Rangoon, and the adjacent country of Pegu, the inhabitants, both Burmese and Ta-liengs, fled into the interior. Encouragements were held out to them to return to their homes and usual occupations, under an assurance that they should meet with justice,

and not be molested in their honest pursuits. Very few of the former, but great multitudes of the latter, before the close of the war, had returned to their towns and villages. Their number; in Rangoon and suburbs alone, probably amounted, at least, to 15,000. It was not expected by the inhabitants who came over to the English, that any part of the conquered territories would be restored to the Burmese Government, as it never entered their imagination that a conqueror would give up his conquests. When, therefore, they became acquainted with the result of the negotiations at Yandabo, they generally resolved either to follow the retrogression of the English army to the eastern territories, or make a stand for their own independence against the Burmese. They had seen their own strength and number; as few Burmese, comparatively, sought protection under the British flag. They knew, also, that their old conquerors had become exhausted and discouraged, by their unavailing contest with the English. It is believed, that there is not a single surviving branch of the family that reigned over the Peguese before the time of Aloung-Poora, but there has not been wanting one to raise the standard of revolt. The Governor, or Magistrate, of Syriam (or Thanhyeng) embraced the opportunity presented by the state of the public mind which we have described, to kindle to a flame the spirit of independence.

• The name of this man is Moun-Zat. He is, though a Ta-lieng, connected in an obscure and very remote manner with the royal family of Ava. He is about fifty years of age. He was before the war for several years the Myo-Woon, or Governor, of Syriam, and when he came over to the English was permitted to hold the same office. As soon as peace was concluded, he began to make preparations for the enterprise which he had in view. He commenced raising forces, collecting arms, and preparing ammunition, laying up provisions, &c. that he might be ready to attack Rangoon as soon as the English should withdraw and the Burmese take possession of it. He called upon the Ta-liengs generally to unite with him in the attempt, and the Burmese soon saw that the departure of one enemy would only be the signal for the attack of a new one.

• He and the Ta-liengs generally were induced, perhaps, not so much from ambition at first as from fear, to pursue a course of active resistance. They had not confidence in the forbearance and justice of the Burmese Government. Having come over to the English, and supplied them with provisions, and rendered them other services, for which they had received compensation, and by which some of them had acquired more money than they would have done in an ordinary way, they apprehended that they would be, notwithstanding the obligations of the treaty, obnoxious to the Burmese Government, and the objects of extortion and plunder. They have commenced war; and as the Burmese have not had time to recover from the shock they have lately felt, it will require no uncommon degree of enterprise and perseverance to succeed to the extent of their wishes.

Such are the particulars with which we have been furnished; and the feeling that most strongly forces itself on our mind after their perusal, is one of regret, that Pegu was not retained in the possession of the British, instead of the provinces to the east and south that have been incorporated with the Company's territories. There can be no doubt that this Government were in a position that enabled them to dictate the cession of Pegu, either in addition to, or in exchange for, the provinces actually transferred, and that the Burmese Government, however unwillingly, must have acceded to it. It is clear also that the Peguese themselves expected

that such would be the case, and that they would have cheerfully passed under the English rule. If this course had been pursued, a truly valuable addition would have been made to our power and resources in the East; facilities would have been given to commerce, and markets found for our manufactures in that quarter superior to any that have been hitherto or can now be enjoyed; a numerous and oppressed people would have enjoyed the blessings of a more just and enlightened government, and they would have been spared the continuance of that state of anarchy and bloodshed which the British invasion introduced among them. We are aware that some of these are reasons which are seldom if ever taken into account under such circumstances; but independent of any pledges that may have been given to the Peguese, of the nature and extent of which we should like to be better informed, and independent also of the virtual claims which they had in consequence of having voluntarily placed themselves under our protection, and afforded us their assistance during the period of war—independent of all this, considerations of humanity, one would think, are not the very last that should be felt, acknowledged, and acted on, by a Christian Government. Admitting to the full extent every alleged ground of the Burmese war, it was the Burmese Government, not the Burmese people, and still less the Peguese, that were the aggressors; and yet it is the people, the innocent and unoffending people, that are made the principal sufferers, and the Peguese are handed over again to the grinding oppression of the Burmese, or to the horrors of a civil war, as if it would have violated some good principle, or compromised our dignity to take them under our protection and government. What the result may be, it is impossible to predict. Moun-Zat may be another Aloung-Poora, and, after establishing the independence of Pegu, may subjugate Burmah itself to his power. In that case there will be nothing gained to the cause of humanity and good government, as the Peguese will oppress the Burmese as severely as they were themselves oppressed. Even the separate independence of Pegu and Burmah under different governments will only lay the foundation for unceasing wars between the two powers, which will prevent either of them indeed from being formidable to the British, but which will produce a state of society supremely disgraceful to those who have been instrumental in creating it.

#### DEBTORS IN INDIA.

The state of debtors in India, from the absence of bankrupt and insolvent laws, has for many years past attracted the attention of the humane. We are glad to perceive, that something more important than mere lamentation over the evil has at length been effected, as the following report of proceedings on this subject will show:

‘On Saturday the 3d instant, (February, 1827) John Palmer, Esq., the Rev. Thomas Robertson, the Rajah Budinath Roy, John Grant, Esq., Wigram Money, Esq., and Lieutenant-Colonel Bryant waited, by permission, on the Right Honourable the Vice President, at the Government House. On being introduced to his Excellency, who was attended by Mr. Secretary Shakespear, Mr. Palmer addressed his Lordship to the following effect:

‘My Lord.—We have solicited permission to approach your Lordship, to deliver a petition entrusted to us by the debtors in the great jail of Calcutta. Earnestly impressed with the truth of its prayer, a body of the inhabitants of this town, composed of agents, merchants, manufacturers, shop-keepers and of every pursuit and occupation of commerce and

labour, of servants of the state of every department; and natives, Hindoo and Musulman, distinguished for rank and wealth, representing all classes of the community, have signed a declaration of its expediency and justice; and we, warmly participating in the general sentiment, beg respectfully to submit the petition to the consideration of the Government, and the benevolent protection of your Lordship.

‘TO HIS EXCELLENCY GENERAL, THE RIGHT HONOURABLE LORD COMBERMERE, G. C. B., &c. &c.

*Vice President in Council.*

‘My Lord.—We, the undersigned debtors, prisoners in the Calcutta great jail, approach your Lordship in council, with our respectful solicitation of your just and benevolent consideration of our oppressed and unhappy condition.

‘Although imprisonment for debt is the established law of England, the wisdom of the Legislature has interposed to counteract or mitigate a course so wholly at variance with the professions of Christian charity, or the common feelings and principles of humanity and justice. For more than a century and half past, occasional acts of Parliament have given liberation to the insolvent debtor after a certain period of imprisonment, and during the late reign few years passed without a general throwing open of the prisons of England, and the discharge of those unhappy persons whom misfortune had reduced to insolvency and their creditors to a jail, while every successive act, in protecting the interests of the creditor, tended also to ameliorate the condition of the honest but unfortunate debtor.

‘In the course of this legislative enactment, in which the progressive establishment of the truth and humanity of its principle was attended with the enlargement of its powers for the relief of the debtor, it may appear unaccountable that British India should have formed the solitary exclusion from these acts of mercy and relief; yet, India experienced no practical benevolence of the legislature until 1812, when the Insolvent act of that year contained a direct application of its provisions to Fort William, Madras, Bombay, and Prince of Wales Island. In virtue of this act, nearly (100) one hundred debtors were liberated from the Calcutta jail, among whom one an European, had been a prisoner about 18 years, having been confined in 1795! the act was of temporary operation; in 1813 it was renewed as a permanent statute and has become the established law in England, but the express application of its provisions to India did not form a part of the permanent act.

‘Fourteen years have now elapsed without any relief or mercy from Parliament visiting the debtors’ cells in the prisons of British India. The fate of the individual, eighteen years a prisoner, is already threatening some of your Lordship’s petitioners, one of whom, a native of the provinces under the Presidency of Fort William, if he had remained in the house of his fathers would have enjoyed the full benefit of the Insolvent act, the spirit of which a wise and beneficent Government has diffused over the continent of India, for the protection and happiness of the millions of the native population, but having fixed his residence within the boundaries of the city of Calcutta which boasts the laws of England, he has been a prisoner for debt in the Calcutta jail going on fourteen years, despairing of mercy from his obdurate creditor, and existing without the hope of ever being restored to the world but by this appeal to your Excellency’s wisdom and humanity.

'Two of his countrymen are going on twelve years' of imprisonment; another debtor, an Englishman, eleven years; six are entering from the seventh to the ninth year; and twenty-three from the third to the sixth year; all equally without hope of release, but by the intervention of the law, or of death; the latter, avowedly, the only limitation of the vengeance of some of our creditors.

'We humbly submit to the consideration of your Excellency in Council, whether the statutes, which confer on the local Governments of India, the power of enacting Laws and Regulations for the good order and civil government of the several Presidencies, can possibly be meant not to embrace the relief of the honest but unfortunate debtor, imprisoned at the will of a relentless creditor. We presume to think that the total oblivion of the debtor in India, in the permanent Act of 1813, must have arisen from the assurance, that some anterior Act had provided for his protection; and we further respectfully submit, whether the 23d Clause of the Act of the 39th and 40th of Geo. III., does not expressly contemplate our unhappy condition?

'It is in the belief and hope that this power does exist in the local authorities, that we implore the humane attention of your Lordship in Council, to the scene of suffering and oppression now exhibited in the Calcutta jail; and anxiously pray that some law or regulation may be framed, in the spirit of the acts passed by our parent country, which, while it shall secure the creditor's just claims, may protect the unfortunate debtor from his vengeance, and the horrors of indefinite or perpetual imprisonment.

'Signed by twenty European and Christian prisoners, whose dates of imprisonment are from March 1816, to January 1827. And by one hundred and one Hindoo and Mussulman prisoners, whose dates of imprisonment are from September, 1813, to January, 1827.'

#### **DECLARATION OF THE AGENTS, MERCHANTS, TRADESMEN, &c. OF CALCUTTA.**

'We, the undersigned inhabitants of Calcutta, having seen the annexed Petition to the Right Honourable the vice-President in Council, from the debtors in Calcutta jail, declare our conviction that the extension of the spirit of the Insolvent Laws will be beneficial to all classes of the people of this city, and that we believe such to be the general feeling and opinion of the Settlement.

[Here follows the signatures of the principal magistrates, merchants, agents, and European tradesmen of Calcutta, as well as of the principal British and Indian residents of that city, to the extent of more than 300 names.]

'His Lordship, having read the petition and declaration, was pleased to reply, that the nature of the petition and condition of the petitioners, supported by so strong an attestation of the opinion and feelings of the community, entitled it to his utmost respect and attention, and that he should take an immediate occasion of placing it before the Council, with his strong recommendation of their early consideration of the prayer of the petition; and that whatever were the mode in which the Government might be able to afford relief, his Lordship felt the deepest interest in the petition, and would be happy to afford it his warmest support.'

To this, the following remarks are appended in the 'Calcutta Chronicle,' of February 9th :

'We congratulate the community on the recent presentation of the petition to Government respecting the introduction of the insolvent laws here. It is indeed high time that some improvement were made in the laws affecting the relation of debtor and creditor; for the existing system is equally absurd and cruel, as opposed to the interests of the creditor as it is destructive of the liberty and happiness of the debtor. The cases stated in support of the petition, while they speak volumes as to the necessity of the humane measure called for, reflect eternal disgrace on those who have availed themselves of an unjust and inhuman law to prosecute their fellow-creatures, by keeping them incarcerated in a jail for ten and even fourteen years, without a prospect of release, except by death; for some of the creditors, it appears, have announced the humane and Christian resolution of keeping their debtors in jail until heaven in this way liberates them. It seems now probable, however, that they will, ere long, be deprived of the power to fulfil this very charitable and very creditable determination. So far so good; but we require something more than the introduction of the insolvent laws here: they, as our readers know, still leave the property which the insolvent may acquire liable for his debts. Now the insolvent laws, as applied to those who have not been engaged in trade, may be, in this respect, all very equitable: for it is to be presumed, that the debts of those who have never engaged in trade or speculation, cannot, or ought not, to be so large as to render the liquidation of them by industrious exertion impossible; but if those who have engaged in trade, and who may have failed to a very large amount, are to be only released from a jail on such conditions, it may be a question whether their release can be any benefit to them, for since the duration of a jail itself can scarcely be worse than the hopelessness of toiling on to the end of life for the benefit of others, with the certainty of leaving those dependent on us entirely destitute in spite of all that the most unremitting industry can effect, confinement, or even death itself, is preferable to such a state of hopeless slavery.

'It is clear, then, that we require here, not merely the insolvent, but the bankrupt laws; in virtue of which the honest, but unfortunate merchant or tradesman, after fairly giving up his all, and producing proofs of the honesty of his dealings, is released from further demand, and enabled again to pursue his occupations with the cheering prospect of attaining independence, or providing for his family by his honourable exertions. It is needless to dwell on the arguments which justify our position; one moment's reflection will serve to convince any man that, without the slightest deviation from honesty, persons engaged in trade may be in a moment reduced to irretrievable ruin, and that property, which, under the management of the merchant or tradesman himself, would have yielded a surplus on the whole demands against it, in the hands of rapacious creditors, brought to a forced sale, or possibly wasted in litigation—brings not a tithe of what it would have produced to its original owner. Under such circumstances, to make the unfortunate individual liable for the deficit, and to call upon him to toil on for the remainder of his days to make it up, is surely a cruelty little less revolting than that of immuring him for life in a jail. Yet such will be still the state of the law here, even if the humane measure proposed in the petition to which we have adverted should be introduced, unless it be also followed up by the introduction of the bankrupt laws.

## THE CALCUTTA STAMP ACT.

The Stamp Act continued to absorb the largest share of attention from nearly all the papers, and the following are the observations made on its first actual appearance in the same Number of the 'Bengal Chronicle' :

'The Stamp Act is now published, and we have seen a copy of it. It is not our intention, however, to enter into any examination of its details. It is to the principle of the tax, and to the construction of law upon which it is founded, that we object. Its principle, as we have before noticed, violates a fundamental maxim of the British constitution, and the construction of law on which its legality is maintained, opens a door to the introduction of the whole system of English taxation; while that which would also admit the privileges by which such taxation is accompanied at home, is as rigidly closed as ever. If the law adverted to, which appears to us to refer only to duties of customs, and such other duties or taxes as are therein specified, does really sanction the imposition of a stamp tax, it is clear that, by the very same construction, it justifies the imposition of the window-tax, the house-tax, the horse-tax, the income-tax, or all and every tax which may be deemed expedient—and, therefore, "just and proper." Such is the reasoning of authority—and who shall dispute it? There can scarcely be a doubt, indeed, that if no appeal is made against the stamp-tax, or if such appeal be unsuccessful, the whole of the taxes we have named, and many more, will gradually follow it. The avowed object of the new tax is to increase the revenue: not that the necessities of the state demand it, but that a commercial government requires an increase of profit. But it is undeniable that this desire of gain, in great commercial bodies as in private individuals, increases with its gratification. "When or where," then, is this taxation to cease? There is already a surplus revenue, if the advocates of monopoly are to be relied on. Any taxation beyond this, is clearly only to enrich those who have directed that it should be levied. Is this a legitimate object of taxation? Is it consistent with the character of an enlightened government to avow and to act upon it? These are questions we shall not attempt to answer; but this at least we will venture to maintain, that if India is not yet sufficiently advanced to admit of receiving the benefit of free institutions, on every principle of justice she ought to be exempted from the evils of taxation, against which, without these institutions, she cannot any where be heard in time to avert them.

'If this tax be submitted to without an appeal to authority here, in the first instance, and ultimately to the legislature of Great Britain, then will it be established, that to India alone, of all the British possessions, the principle of taxation without representation can be applied whenever the ruling powers shall pronounce it "expedient," and consequently "just and proper."

'But we are happy to inform our readers that the feeling of the whole community is so adverse to the imposition of this stamp-tax, that a meeting will be very shortly held to consider the best means of obtaining a revocation of the measure. The course talked of, is a respectable appeal, in the first instance, to the local government, and ultimately to the legislature. We would propose that a petition against the tax should be drawn up, and left for signature at the Exchange or the Town Hall, and our belief is, that there are scarcely ten individuals in the whole community who will not sign it. The advantage of this measure over that of merely presenting an appeal, signed by a committee, or any small body of individuals, however respectable, is, that the local govern-

ment will thus be satisfied that the general feeling of the community is against the measure; and as no state necessity can be pleaded in its favour, the government itself may possibly be induced, in deference to public opinion, expressed in this legitimate and respectful manner, to recommend the revocation of it.

'We shall probably resume this important subject in our next. It is one in which the interests of the community are deeply involved—and it is one, too, which may be discussed without fear of giving offence. The evil complained of is an inevitable consequence of the system we deprecate, and its condemnation implies no reflection on those intrusted with the administration of that system.'

The following squib, (as we suppose it at least,) communicated to the 'India Gazette' by a correspondent of that paper, is not without its merit as a mere piece of wit; but it has a higher interest, as showing how generally it is at least believed that the objections to this imposition is felt:

'A curious circumstance occurred the other day near the Mahratta ditch. A gentleman coming in from the country observed crowds of people, apparently much agitated, carrying away all their moveables across the ditch. On requiring an explanation, all he could get was a mournful shake of the head, and the word 'Stamp' pronounced in a melancholy tone of voice. The very children, as they were hastening after their parents, looked up apprehensively at their *paper* kites, and groaned out *S-t-a-m-p*! At length, determined to see what was the matter, our observer pushed his way through the multitude, and beheld a thing on the ground. We cannot describe the thing, but apparently it was a queer, questionable, and disagreeable thing. Some said it had an unpleasant smell; others whispered that it looked as unpleasant as it smelt, while many declared that it would taste still worse.

'Though all stared intently at the thing, scarce one dared to handle it, although it was evident that the thing caused apprehension and aversion. It resembled in one respect the electrical, for hardly any one chose to approach it.

'One or two in the crowd ventured very near it, poked at it, and turned it this way and that; others threw little pellets at it, while some put forth their hands and straightway drew them back again, in an uncomfortable-like-way, as dreading it might explode mischievously, or bite them.

'The most extraordinary part of the circumstance is, that there was a kind of patent claw attached to the thing, which, with an adroitness, and a power that were irresistible, abstracted pice, rupees, gold mohurs, and bank notes, out of the pockets of the crowd. Some made wry faces, but it was no use—presto, they were *minus*, some rupees more or less.

'Amongst the crowd were persons in spectacles, who appeared to see farther into the thing than others. These whispered that it was not the thing itself they dreaded so much, as the principle of the thing—they declaring that it was a kind of fish that would spawn, and produce other things equally odd as *that* thing. In short, it was not *the* thing.

'There was a strange muttering, and whispering, and murmuring amongst the crowd at the thing, and people appeared at a loss how to proceed respecting it. So far as could be judged, there seemed to be a general agreement that something should be done concerning the thing. Some



proposed this, and others that, but the crowd at length seemed to listen with attention to the advice of two elderly and sober clad persons, one of whom advised that Government should be memorialized on the subject, and the other, that Parliament should be petitioned.

‘Our informant states, to the best of his belief, that the thing has taken root within the Mahratta ditch.’

#### ACCOUNT OF RUNJIT SINGH.

The following particulars respecting the celebrated Mahratta chieftain, Runjit Singh, are contained in the Calcutta ‘Government Gazette’ of February 20th, and are among the most recent communications we have seen of the force and movements of this powerful native warrior.

‘We have been favoured with letters from the Punjab, which afford some interesting particulars respecting his Highness Maha Raja Runjit Singh, in addition to those which we have derived from Native papers. The Raja’s health having been disordered for some time past, he has been induced to apply for medical assistance to Ludhiana, and the surgeon of the station was accordingly sent to wait upon him: his complaint is supposed to be an affection of the liver, and is not such as to incapacitate him for his public duties. The Maha Raja is described as a man of small stature, about 50 years of age, of lively disposition, and shrewd and intelligent observation. In the end of December, he was residing in a small tent pitched in the centre of a garden, about a mile from Lahore. There was a small awning in front of the tent, and three sides of the garden were enclosed with red kanats: very few officers or troops were in attendance. In the afternoon, the Raja generally goes out in his palanquin or tonjan for air and exercise, when he is more numerously attended by his retinue, who remain considerably in the rear of the palanquin, which is usually unaccompanied except by one of the Surdars, Mian Dhun Singh, or his brother. The Raja’s usual excursion is to a bungalow a short distance from his tents. In view of the latter, there are always six or seven of his horses, fine looking animals and splendidly caparisoned. Horses seem to be the passion of his Highness: he has a large stud, which he frequently passes in review, and is familiarly acquainted with the history and qualities of every individual.

‘Besides the ordinary levies of the country, Runjit Singh has now on foot a very respectable force, armed and disciplined after the European fashion. Two of these battalions were reviewed by his Highness in the end of December. One was composed of Sikhs, the other of Sikhs and Hindoostanees. The former were dressed in white jackets and trowsers, with yellow linen turbans, the cartouch-boxes, belts, and bayonet-scarbards were red. The accoutrements and turbans of the other battalion were similar to those of the British sepoys. All were armed with muskets and bayonets of very respectable manufacture, and in good order. The men were tall and robust, and exceedingly steady. After firing by companies and in volleys with great regularity, they formed a hollow square on the two centre companies, deployed into line and marched past in review, carrying arms when in front of the Raja, who was seated in an arm-chair. The whole was under the direction of the Native commandant. Each company has one subadar, one jemadar, two havildars, and two naiks: all except the latter are clad in yellow silk. The officers carry sabres, the havildars halberds. Each battalion has a band of drums and fifes, who played English tunes as they marched past. The Raja

has also a corps of lancers in his service, as well as a respectable train of artillery. The chief agents in the organization of his force are two French officers, who have been some time in his service; and we learn that two more have arrived at Cabul on their way to join the Seikh army, who are relations of the officers already entertained, and have come out to India upon their invitation. Runjia Singh, we are informed, is very desirous to have an interview with the Governor-General, if it could be arranged so as to suit his Lordship's convenience.\*

#### PROGRESS OF THE GOVERNOR-GENERAL.

The progress of the Governor-General through the Upper Provinces of India is reported at considerable length in the 'Government Gazette' of Calcutta; and as the details are in many respects interesting, we transcribe the latest report we find on that subject at length:

'We have been favoured with the following account of the movements of the Right Honourable the Governor-General, from the period of his leaving Bareilly to that of his quitting Agra. The places and scenes which our correspondent describes are so truly Oriental, as well as picturesque, that we are satisfied his notices will be perused with much interest, albeit something incompatible with the ordinary gravity of our columns:

'I have the pleasure to send you the following journal of the Governor-General's farther progress through the Upper Provinces, and hope that it may not prove too imaginative for the sober and becoming gravity of a newspaper. But the subject is one that would warm the imagination of the most phlegmatic, though I fear my imperfect description may fail to convey an adequate idea of the scenes, as well as of the feelings, they are calculated to inspire.

'On the fifth day, after leaving Bareilly, the Governor-General crossed the Ganges at Kutchla Ghaut; where the camp was detained some days in consequence of a heavy fall of rain.

'On the 3d of January, the Governor-General was present at a review of Colonel Gardner's Horse, which took place at Paladpore. The corps went through a variety of manœuvres with great success; after which the men exhibited their skill, individually, in tilting at each other, and taking up tent-pegs stuck in the ground, at full speed, with the points of their spears, together with other feats of horsemanship, in all of which considerable dexterity was displayed. At the conclusion of the review, the Governor-General addressed Captain Monk, Colonel Gardner being prevented by indisposition from appearing on the field, and expressed his gratification at the novel and beautiful sight he had witnessed, and also the pleasure he felt at seeing a regiment which had acted so bravely, and suffered so severely, in the public cause.

'On the morning of the 8th January, the Governor-General entered Agra. The character of the country seemed to change as we approached the once flourishing capital of the Mogul Empire. The cultivated plains of the Doab were succeeded by deep and rugged ravines, whose barren and desolate aspect corresponded well with the melancholy and ruinous condition of the Imperial city. The beautiful Taj,\* with its marble domes

\* This is the Taj-Mahal at Agra,—the front elevation of which forms the subject at the head of the exterior wrapper of the 'Oriental Herald.'

and graceful minarets, shining white in the morning sun, was the first object which struck the eye, and indicated our vicinity to Agra. The entrance lay by the Ram Bagh, formerly called the Noorussan Bagh, whose gardens were originally laid out for the relaxation and pleasure of the beautiful and talented Noor Jehan, and which are still kept up with care, though not perhaps with their original splendour. A little farther on we passed the tomb of Noor Jehan's father, who held the office of Etimad Dowleh, or Prime Minister, to Jehangeer. It is an interesting building, and the mosaic floors and enamelled roofs are singularly curious and beautiful; but it is fast falling a victim to the ravages of man, as well as those of time. On approaching the bridge of boats which had been thrown across the Jumna, the fort of Agra appeared before us in massive and imposing grandeur; one of the few buildings of the time of Utkar, which still remains unimpaired, as a record of Mogul greatness. The river, winding to the left of the fort, flows past the skeletons of palaces and desolate gardens, formerly inhabited by the Omrahs, and the scenes of many hour of "civic revelry, or of rural mirth." Crossing the bridge of boats, we passed the Moobarik Munzil, now the custom-house, but which, in days of yore, was the palace where the emperors collected their numerous train previous to undertaking a journey to any place eastward of the city.

The Governor-General proceeded to the house of Mr. G. Saunders, where his Lordship and family took up their residence during their stay at Agra, and were entertained by his worthy host and amiable hostess with that hospitality for which they are so conspicuous.

In the evening of the same day, Lord and Lady Amherst drove to the Taj, to visit that, which, of all the wonders of the world, is perhaps the most truly beautiful. The pyramids of Egypt may overwhelm the mind with their stupendous magnitude and mysterious antiquity; the caves of Ellora, with their unbuilt temple of Kylas, carved from the solid mountain block where it stands, may well astonish us with the proof of what mighty undertakings human labour and art are capable of effecting which propelled by the impulse of religious enthusiasm; and the glorious St. Peter may overawe and delight with its magnificent and harmonious combination of sublimity and beauty; but the marble tomb of the lovely Taj-Muhaul, different from all, and incomparable with any, lifts its snowy domes and stately minarets in "eloquent proportions" into the blue sky; the unparalleled tomb of an unparalleled princess. To attempt a description would be to "describe the indescribable," and would prove alike tedious and unprofitable. There are some things whose perfection are only to be felt, as there are some feelings which are only to be imagined. Language is too poor, and art too imperfect. The painter's skill and the poet's pen have alike been foiled before this lovely and inimitable monument, where all that the imagination conceives of pure and chaste, of delicate and beautiful, is concentrated and embodied.

Its situation on the banks of the Jumna is peculiarly striking, commanding a fine view of the massive and majestic fort, and overlooking on every side the innumerable ruins of palaces, tombs, and mosques, which were yet in their splendour when the Taj was built. Even at Rome, there cannot be more numerous remains than there are at Agra. The deep ravines which intersect the city and neighbourhood, and several low hills which are here and there distinguishable, all appear to have been formed by the ruins of successive cities; but while all has crumbled or is passing away, while empires, like palaces, have been over-

thrown, the Taj still stands in all its pristine beauty and brightness, looking down upon the decaying skeleton of the city around it, like some spirit watching over the mouldering body it had loved. But I have dwelt too long on this long-explored, but still exhaustless mine of contemplation. Suffice it to say, that, however much expectations might have previously been raised, none of them were in the smallest degree disappointed.

‘On the following morning, (January 9th,) the Governor-General held a levee, and in the evening of the same day, Lady Amherst a drawing-room; both of which were numerously attended.

‘Early in the morning of the 10th, his Lordship and family visited the fort, where palaces of emperors in indifferent repair, still remain overlooking the Jumna. The *Amkhas*, or hall of audience, is now converted into an arsenal, and thousands of hostile arms of different kinds now occupy the place where formerly the sword of justice alone presided. The marble baths falling to decay no longer echo the laugh of the beauties of the seraglio; and the *Ayina Muhaul*, or looking-glass department, with its glittering fountains, cascade, and illumination of a hundred lamps, no longer affords enjoyment or luxury to the queens of the harem. You pass along the marble walks of gardens, and pace the empty apartments and galleries of the zenana, where once it was death for man to tread: and you find the snake, the owl, and the parrot, the only inmates of the mouldering palace of the great Ukbar. After leaving the fort, we proceed to visit the Joomah Musjid, opposite to the Delhi gate. It is a large and handsome mosque, and being situated on a rising ground, forms a picturesque object from every point of view. It was erected by Jehanara Begum, the eldest daughter of Shah Jehan and the Moomtaz Muhanl, Taj Muhaul; who, with a singular piety, dedicated to this religious object the dowry which was allotted her to reward the fidelity of a lover.

‘The same day the Governor-General held a darbar, at which a nephew of Holkar, in the character of envoy, and the chiefs of Dhar, Dewas, and Rutlaun, with missions from other princes of Malwa, were introduced, and tendered their nuzzar or pesacush, to his Lordship. The turbans worn by the Rajpoots, the warrior race, are very peculiar, being of a most prodigious size, and curving round at the top to one side in a kind of balloon shape.

‘Early in the morning of the following day we visited Secundra, the mausoleum of Ukbar the Great, the most liberal and enlightened of the Mogal sovereigns; but who, not satisfied with all the glory and fame attainable by a mere mortal, was desirous of blending with it the exalted veneration which is due only to the deity! Considering all religions as equally false and imperfect, he followed the example of Mahomet in framing a new creed; but more ambitious than the prophet, he proclaimed himself the God! The entrance gate to his mausoleum is in bad repair, but is still handsome and highly ornamented. The face is covered with a kind of mosaic work, composed of different kind of stones inlaid in various patterns. A fine stone terrace about three yards long, intersecting an extensive garden, leads straight to the mausoleum. It is built in a totally different style from the Taj, with which it bears no comparison; but its light and complicated architecture is not without its peculiar elegance. It is built of red stone, and is one entire succession of arches on arches, or galleries on galleries; on the summit of which, crowning all, is an area surrounded

by a marble screen richly carved. In the centre of this area is the elegant monument of Ukbar, of white marble, "The God Ukbar—may his glory be magnified!" together with the hundred names of the deity, is inscribed upon it in Arabic, interwoven with flowers and leaves beautifully executed in relief. The view from the summit is extremely fine, the immediate neighbourhood being covered with ruins of the tombs of his wives, nobles, or courtiers, who, faithful in death as in life, repose their ashes around the tomb of their king and their fancied god. In the distance lies the town and fort of Agra, ravines and ruins; and above all, the beautiful Taj, "the diamond of the desert."

' January 12.—Was fixed upon for the reception of Hindoo Row, the brother-in-law of Scindia, who had arrived from Gwalior, in the capacity of envoy from the chieftain, at the head of a splendid mission. Mr. Stirling and Mr. Ravenshaw were deputed to meet the Mahratta Prince, and conduct him to the Governor-General's tents. Hindoo Row was seated upon a noble elephant; he rode in the Mahratta fashion, on a large saddle with stirrups, on the back of the elephant; his swords was in his hand, his pistols in his girdle, and his armour-bearer seated behind him, with his spear and buckler, as if leading his forces to battle. The appearance and accoutrements of his numerous followers were singularly picturesque, and brought upon the mind the memory of the semi-barbarous ages in Europe. Here was a Mahratta, with breast-plate and back-piece of steel, and greaves or gauntlets of the same metal—there was a whiskered Front-de-Bœuf clothed in chain armour, with a round mambrino-looking helmet of steel, and a long two-handed sword in the hand. The Mahratta cavalry, variously accoutred, but most of them having a spear and matchlock, with their bold daring courage, and lightning glance, appeared as if they were the elements of the wild Pinderry, or predatory Bheel hordes, equally the cause and consequence of political convulsions.

' When admitted into the presence of the Governor-General, many of these wild leaders, who accompanied Hindoo Row, scarcely deigned to make the customary salaam, as if it were derogatory to their independent spirit to own allegiance to any but their hereditary chieftain.

' In the evening of the same day, Lord Amherst and family visited the Taj by moonlight, at that still and solemn hour, most fitted to the contemplation of this lovely tomb of the lovely dead. The fountains were playing, and glittered like silver in the moon-beams, and there was an air of quietness and solemnity even in the tall formal cypress trees, that line either side of the terrace and aqueduct, which was in character with the stillness and beauty of the scene. At the end of the avenue, the Taj appeared before us with its soft shadows, like some temple of snow, the abode of the genii of the mountains. When we arrived at that face of the Taj, on which the moon was shining in her fulness of splendour—the deep shadows of the arches and windows, contrasted with the whiteness of the marble—the graceful domes and minarets rising with a soft and moonlight splendour against the deep and starry sky, together with the stillness of the hour, combined in forming a scene of unparalleled and surpassing beauty.

' In the evening of January 15th, Lady Amherst held a drawing-room, if it may be so termed, at which her Ladyship received a deputation of eight Mahratta ladies, sent to wait upon her by her Highness the Baccra Bacc, with complimentary messages and presents.

' No gentlemen were allowed to be present, or within eye-shot of these

moons of the Haram, who are ever enveloped in clouds, that they may not bestow upon the ungodly face of man, that light which belongs only to their sun—their husband. The gentlemen, consequently, were left to reflect upon the propriety of this Oriental custom, and to imagine, with a mortified curiosity,

What a pure and sacred thing  
Is Beauty, curtained from the sight  
Of the gross world ; illumining  
One only mansion with her light—

The drawing-room, however, it is understood, went off capitally ; the Indian ladies were delighted with every thing they saw ; the room, the furniture, the pictures, but above all, the blazing fire in particular, attracted their violent admiration, and so fascinated were they with the English ladies, whom, no doubt, they thought ‘ hideously white,’—that nothing could persuade them to take leave, till it was reported that some gentleman were approaching, when they fled like ghosts at the approach of morn.’

‘ January 16th.—The chiefs from Malwa had an audience of the Governor-General, when they received presents and took their leave. In the afternoon, his Lordship visited the Government College of Agra. The young students presented copies of verses as a specimen of their writing and their talents.

‘ January 17th was appointed for the Zyafut, or entertainment, which was to be given to the Governor-General by Hindu Row, on the part of Scindia. About half-past four in the afternoon, the Governor-General proceeded in state to the Mahratta camp, which was pitched on the sands of the Jumna, under the walls of the fort. When the procession of the Governor-General, by turning a projecting angle of the fort, first came in sight of the camp, the scene which thus burst on the view was singularly picturesque ; on the left were the lofty walls and bastions of the fort ; on the right, overhanging the road which wound round the river, were the extensive ruins of old palaces, all crowded with spectators ; and in the front lay the camp of Hindu Row, on the sands of the river, which, winding to the right, washed the terrace of the Taj, which rose beautiful above all, reflecting the rays of the setting sun. In the meantime Hindu Row, with his picturesquely dressed followers, had swelled the procession of the Governor-General, which, passing through the lines of the Mahratta infantry, drawn up on each side to salute his Lordship, finally halted at the tents of the chieftain.

‘ The tents were very well arranged, and very neatly fitted up for the occasion, and Hindu Row did the honours in a truly Oriental manner. If at Lucnow we witnessed the more imposing magnificence of the king, it was not with less pleasure that we now witnessed in the manners of the host, and the singular character of his adherents, a faithful portrait of the Indian chief. A profusion of various presents were brought in trays and laid at the feet of the Governor-General, and Hindu Row, with his own hands, ornamented the person of his Lordship with some magnificent jewels, which were presented on the part of Scindia, as a token of that chieftain’s respect and attachment. Fireworks had been prepared and placed all along the heights to the left of the road, for the distance of half a mile, which were successively let off as the Governor-General proceeded on his return. The fireworks were made chiefly in the shape of trees, with leaves of light, each of which exploded in succession, so

that there was a continual popping, as if a beleaguering army was storming the fort opposite, whose high bastions, lighted up at intervals by the stifful glare of the fireworks, and the steadier but wild illumination of myriads of torches that went before the procession, appeared with an effect unusually grand and striking.

'On the 18th, Hindu Row received an audience, presents, and his rookhsut; and in the afternoon, his Lordship left Agra, and proceeded on the road to Bhurtpore.'

The 'Government Gazette' in a subsequent number thus resumes the narrative:

'We have been favoured with letters from the Camp of the Right Honourable the Governor-General, of the 2d of February, from which we learn that his Lordship reached Futtehpore Sicri on the 19th January, where Sir Charles Metcalfe joined his Lordship's camp. A heavy fall of rain occasioned the party to halt for two or three days longer than had been proposed. At this place, the Governor-General received and returned the visit of the Rana of Dholepore, who had proceeded from his territory on the banks of the Chumbul, to pay his respects to his Lordship.

'The 24th having been fixed for his Lordship's arrival at Bhurtpore, the young Raja came out for a distance of several miles, with a numerous and handsome retinue, to meet the Governor-General, and conduct him to his tents, which were pitched on a fine plain, near Major Lockett's bungalow. The Raja visited the Governor-General in his tents on the same day, and was received with suitable honours. In the evening, Major Lockett entertained the Governor-General and party at dinner.

'On the following evening, the Governor-General, Lady Amherst, and the whole of the suite, proceeded to the Palace to partake of a grand entertainment. His Lordship entered by the Cumbheer gate, under a salute of cannon, from whence to the Citadel the streets were brilliantly illuminated. The illuminations in front of and within the Palace, displayed unusual taste and splendour; an excellent dinner had been prepared for the occasion, at which about sixty English gentlemen and ladies were present. The Maharaja, Bulwunt Singh, sat between Lord and Lady Amherst, under a handsome canopy of scarlet broad cloth, richly embroidered, and on the opposite side of the table the Regent Ministers took their seats, on either side of the Political Agent, Major Lockett. The entertainment was conducted throughout in the most superior style, and gave the highest satisfaction.

'On the 26th, the young Raja and Ministers were present at a dinner given by the Right Honourable the Governor-General in his tents, and took leave. The following morning his Lordship marched from Bhurtpore, intending to proceed via Cumbheer, Deeg, and Goverdhan, to Muttra. At Muttra, his Lordship was to receive the visit of the Prince Mirza Selim, the fourth and favourite son of H. M. M. Akbar Shah, who has been deputed by the king to express his majesty's desire for an interview with the Governor-General.'

#### STAMP REGULATIONS.

The Stamp Regulations having been published in the 'Government Gazette' in an official form, had again roused public attention to its provisions and probable operation; and the following remarks appear on it in the 'Bengal Hurkaru,' immediately after its publication:

' The stamp regulations are now before the public, and every one has the means of estimating the sum which he may be expected to subtract from his own income, and consequently the inducement which exists for putting his name to a petition against them. We understand a public meeting will be called very soon, for the purpose of taking into consideration the necessity of petitioning against the imposition of the new tax. There is one circumstance, however, connected with this regulation, that ought greatly to reconcile the good people of Calcutta to so trifling an inconvenience. They have been denied to be a public for discussion, indeed the 'Bull' would not allow them to constitute a public for the purpose of applauding the Governor-General, but they can no longer be denied to be a public for taxation. What a privilege !

' It is considered an established principle of the British Constitution, that taxation and representation ought to be conjoined. We are taxed, why should we not be represented ? There is no evil that does not produce some good ; the present rotten borough system offers us the means of being efficiently represented in Parliament. A very small part of the sum that is now about to be taken from our pockets, would purchase for us members enough to make us heard and respected. Why should not Calcutta be represented by the aid of Old Sarum, or Dunwich, or Looe, or any other marketable borough. Six members would do more than sixty petitions. But they must be steady men of business, always in their places. Two sessions, we will venture to predict, would work a wonderful alteration. Here is a *constitutional* remedy for grievances, and not a very expensive one ; if any body knows a better, let him propose it.'

This proposal is sneered at by the ' John Bull,' and, no doubt, the more so because it is one which, if adopted, would effect more towards improvement in India than all the modes ever yet taken to compel the attention of men in authority to such distant interests. Let but the experiment be tried, and the benefits will be seen. If those who have the means, however, will not employ them to effect the object, they deserve to suffer all the inconveniences arising from the present system.

#### MISCELLANEOUS NEWS.

A long report is given in the Calcutta Papers of the 1st of March of the proceedings of the Embassy from the Governor-General of India to the King of Ava, by Mr. Crawford, the principal member of the Embassy. But as the whole narrative has been published in a complete form, as a pamphlet, by Messrs. Smith and Elder, of this city, it is unnecessary for us to repeat it here.

The following are the only miscellaneous paragraphs, of public interest, that we find in the papers of the latest date :

' We understand that the Bark *George* of this port (Calcutta) was wrecked on the 20th of January, on Catapalam Point. The particulars of this unfortunate circumstance as they have been submitted to us, exhibit a melancholy picture of the depravity of native crews. The commander of the vessel having completed her repairs at Coringah, procured a crew composed of the natives of that place and of Vizagapatam, and proceeded on the 3d to Masulipatam where he landed the Honorable Company's Military Stores. On the 13th he sailed for Madras, and on the 15th while he was in the act of taking the meridian altitude at noon,



the crew rose up and having first pinioned him, lashed him to the main rigging. The chief officer they tied to the bower cable, and treated even Mrs. Poulson in a similar manner. Having carried their brutality to such an extent, they threatened the sufferers with death, and putting the vessel before the wind stood in for the land; after which, they got into the cabin and helped themselves at first to liquor, until they were quite intoxicated, and then plundered every thing that was valuable. At six o'clock she struck, on which they left her, some on rafts and others swimming for the shore which was not far off. Mrs. Poulson having been previously unbound was enabled to release the others, though not without extreme difficulty arising from the quantity of rope which had been coiled round them. As soon as the sufferers were able, they fired signals of distress, and burnt blue lights, but no assistance was rendered them until the morning, when they found the ship on Catapaham point. She held out as long as she could, but the surges beat heavily, and they were obliged to leave her a complete wreck.'

'The commander of the vessel is inclined to think that a knowledge of the lenity which a former crew, who absconded after receiving two months' advance of wages, experienced at the hands of the authorities there, induced the present to act in the manner they did, fearless as they seemed to be of all consequences which might attend their atrocious conduct.'

'While we regret the occurrence of an event of such a distressing nature, we are happy to be able to state that the sub-collector of the district and the commanding officer of Ongole rendered the unhappy sufferers every assistance they possibly could.'

'The launch of the *Ganges* steamer, which vessel was announced as being in a state of considerable forwardness at the time the *Irrawaddy* was launched, took place on the 18th of February, at the Government builder's yard, Khidderpore, in the presence of his Excellency the Vice President, attended by many civil and military servants of the Government, and a vast concourse of people. His Lordship did the honors of the day, and named the vessel with the usual ceremony. She entered the river as if proud of the honor conferred on her, amid the shouts of thousands. In consequence of some mismanagement, after she had quitted the stocks, a schooner lying off the dock, sustained a considerable injury from her. She is in all respects, precisely similar to the *Irrawaddy*, and we hear, destined for the same duties.

'The last papers received from Bombay, do not furnish any further particulars respecting the reported rupture between Russia and Persia. Taking it for granted, however, that these Powers are at war, and that the object of Russia is that which has been so often asserted against her—conquest and territorial aggrandisement, even until the Muscovite dominions encroach upon the boundaries of the British dominions in the East;—taking this, we say, for granted, are we supinely to look on and do nothing? If the Russians (as there is every likelihood it would appear) establish a firm footing in Persia, it may not probably be consistent with fitting policy to do more than to prepare for the possibility of further encroachment. So long as they confine themselves to Persia, it can hardly be expected that we should interfere; and if we should offer to do so, the Russians may fairly retort, that we have no right to meddle

with their quarry—that we have the great Asiatic Peninsula under our controul, and that we should be content.

‘Whatever the result may prove—whatever may be brewing in the great vat of the future, past events at least point out the wisdom of precautionary measures. We would, therefore, humbly suggest the propriety of surveying and examining the Indus from the sea to Attock, (if not to its source), as we have now steam-gun vessels and boats fit for such a purpose. This operation would at least enable us to commence operations of a hostile nature, should such ever prove necessary, with some knowledge of the country which we ought to defend, instead of commencing under the undeniable ignorance and disadvantages we laboured under when we first attacked the dominions of the King of Ava. Such a survey, even if not deemed necessary as a precautionary measure, (and bold is he who will assert that it is not so), would prove interesting in a general and scientific point of view.’

‘We have received our supply of Batavia papers for the month of August. They represent the situation of the Dutch as less favourable than at the end of July, and the insurgents again in great numbers and renewed courage. A small party of the Dutch forces had been cut off on the 30th July, and apprehensions were entertained for the safety of a more considerable body under Major Selwyn, from which no advices had been for some time received. In order to divide the duty of the chiefs, the old Sultan had been brought from on board the *Melampus*, and proclaimed as lawful sovereign of Jojokarta, under the name of Sultan *Sepoe*. A less equivocal accession to their cause was, however, the arrival of several vessels from Europe with European troops. Five transports had arrived with about 700 men; and more were daily expected. The birth-day of the King of the Netherlands was celebrated at Batavia and Samarang, with great demonstrations of loyalty and rejoicing.’

#### EASTERN SEAS.

The intelligence from other parts of India is less abundant than from the seat of the Supreme Government, but still not wholly without interest. The following is the communication of a correspondent who has recently arrived in England from Java :

‘We left Java on the 28th of March last. Affairs do not prosper there, and the harsh measures adopted by the Commissioner-General are ill calculated to bring forward the last resources of a feeble Government. The Native Princes of Jojocarta and the provinces in insurrection, are generally beaten whenever they make a stand against the Dutch troops; but assemble again in force on each succeeding day. The Commissioner-General had sent home two members of his Council: both were lost on the passage. The other (the Admiral Melville) had resigned, and notified publicly his departure for Europe. Some good may be expected by the arrival of Mr. Merxus, Governor of Amboyna, a man of liberal principles and enlightened mind; but this again is counteracted by the dissensions prevailing between the civil and military authorities, particularly in the Kadoe, where a very young man has lately been appointed Resident, and made an impudent display of authority over a very old and active officer, which required the personal interference of the Commander-in-Chief, General De-koek, but to no purpose. The sickness amongst the Dutch European troops is beyond all description, and the loss of lives greater than during the most unhealthy period of our West India campaigns. Commerce is, in a great

measure, at a stand, from the want of efficient protection to property, and the blind policy of the Government, realizing, in truth, the old fable of "the goose and its golden eggs." A total want of public and private confidence prevails; and Holland must send *men* and *money* before any real good can be derived from the only colony of any importance she possesses. Under the pressure of such circumstances, it need not be wondered at that our British merchants suffer, and will continue to do so until our *Vaderland* brethren become of this century, and see the prudence of avoiding a second *St. Domingo*.'

By the same occasion we have received other letters from Java, of which the following is one, dated Batavia, March 21, 1827 :

'We are enabled to report the capture of the insurgent Chief *Wicjo-Patty*, who for such a length of time disturbed the district of *Kadoe*, as stated in the annexed letter from the Resident to his Excellency the Commissary-General, dated Magellan, 12th March.

'Your Excellency will no doubt remember the attacks of *Wicjo-Patty* upon *Assinan*, and the other departments of *Kadoe* and *Samarang* not long since, and very lately his burning and plundering the houses of the *Demango* of *Kayu*, *Poering*, and *Assinan*, and the adjacent village of *Grabag*. Such was the general fear entertained of this man, that by no argument or reward could I prevail upon any one to seize his person, while his train of followers increased daily, and his outrages also. Soon after this he joined *Diepo Negro*, who gave him the title *Raden-Tumunuggang*, with charge over the districts of *Assinan* and *Prapak*, and instructions to keep them in revolt, and cut off the communication between *Kadoe* and *Samarang*. He was about to execute these orders, when I put a premium of 400*l.* upon his head; and owing to some disaffections in his family, he was obliged to quit *Assinan* abruptly, and make for *Jetties*, accompanied only by four persons. I had intelligence of his route, and by the treachery of his host at *Piengit*, who gave information of his having stopped at his house for a few hours, I had it surrounded and attacked. He escaped, however, after an able defence, leaving two muskets and a spear in our hands, and two of his followers killed; while on our side a sergeant and the owner of the house were killed. His next retreat was in a wood near *Assinan*, which the *Demang* hearing of, immediately surrounded with *armed men*; and as he was bolting out to escape, luckily succeeded in despatching him, with a loss of two wounded on our side.

'The Residency may now be considered as quiet since the death of this terrible and turbulent man.

(Signed) 'J. VALCK.'

ST. HELENA.

Recent information from *St. Helena* exhibits a state of society scarcely credible. Various acts of excessive cruelty are described as practised on the slaves by the hand of authority, and the imprisonment of his *Majesiy's* free-born subjects, without trial, is also spoken of as happening here. One slave alone is said to have received 3200 lashes, inflicted by the military in the short space of five months. No lawyers, it is affirmed, are permitted to reside on the island, and hence the laws are conveniently and arbitrarily inter-

puted to suit existing circumstances. If half, indeed, of what is stated be true, proceedings should be instituted against the delinquents, and at all events a representation of the facts made to Parliament in the ensuing session.

### HOME NEWS.

Of home news connected with India there is but little stirring. The new Governor-General, Lord William Bentinck, has had his audience of the king previous to his departure for India, which is not expected to take place, however, before the next month. No changes are spoken of in the Board of Control; and the only matter which causes any stir at the India House is the expected disclosure of corrupt practices respecting the sale of patronage among the Directors, which are likely to be made in the approaching proceedings, on the indictment against Captain Prescott, who, from all we can learn, will be proved to be much less guilty than many of his accusing colleagues.

An interesting incident has occurred in Scotland, to which we advert with pleasure, as exhibiting a pleasing and favourable view of human nature and national attachments. We allude to the following event, which is thus described in a late Number of the 'Aberdeen Journal.'

'We hear from Tough, that the tenants upon the estate of Touley, hearing of the return of their long-looked for master, Colonel Byres, from the East Indies, after an absence of thirty-two years, assembled at Touley, on Monday the 25th of June, the day of his arrival. A procession of upwards of nine hundred people, including respectable neighbours, accompanied by a band of the Aberdeenshire Militia, and also with violins, bagpipes, and colours flying, walked to the extremity of the estate, where they met their respected master, and welcomed him with three hearty cheers and other demonstrations of joy, and conveyed him to his mansion-house, the band playing 'Auld lang syne.' They then walked round the ancient family seat, and on their return, after erecting an immense bonfire, partook of an excellent repast of town and country cheer, which they washed down with bumpers of excellent whisky punch, made in Aberdeenshire firloths. 'The health of Colonel Byres, and may the family of Byres possess the estates for many generations,' was drank with enthusiastic applause. The company afterwards enjoyed themselves with mirth and dancing till an early hour, when they separated and returned to their respective homes.'

Colonel Byres subsequently gave to these worthy tenants, a hospitable entertainment at his own house, presiding in person, and interchanging with them pledges of protection and fidelity. Such scenes are so rare, that when they occur we have the more pleasure recording them.

# CIVIL AND MILITARY APPOINTMENTS, PROMOTIONS, AND CHANGES, IN INDIA.

[B. signifies Bombay—M. Madras—and C. Calcutta.]

- Anstruther, R. L., Capt. 6th Lt. Cav. on furlough to Europe.—C. Feb. 14.  
 Anstey, J. T., Mr., to be Coll. and Mag. of Rajahmundry.—M. Feb. 1.  
 Alexander, G., Mr., to be Assist. to the Sec. to the Board of the Rev. Lower Provinces.—C. Feb. 22.  
 Bryie, R., Ens., posted to 19th N. I.—M. Feb. 12.  
 Bowler, H. J., Lieut.-Col., rem. from 28th to 15th N. I.—M. Feb. 20.  
 Baber, T. H., Mr., to be first Judge of the Prov. Court of Appeal and Circuit for Western Division.—M. March 8.  
 Brooke, M., Cadet, prom. to Ens.—C. Feb. 23.  
 Bhattia, Assist. Surg., posted to Cawnpore, under the Sup. Surg.—C. Feb. 16.  
 Bellasis, J. B., Lieut. Quart.-Mast. and Inter. of Hindoostanee, 9th N. I., is appointed as to Interpret. of Mahratta.—B. March 3.  
 Bunyon, Jas., Lieut., 6th extra N. I. to rank Capt. by brevet.—C. Feb. 2.  
 Bestson, T. P., Cornet, to do duty with 10th Lt. Cav.—C. Feb. 3.  
 Bigge, J. R., Lieut. 3d N. I. to be Interp. and Quart.-Mast. v. Martin, deceased.—C. Feb. 3.  
 Bayard, R., Mr., to be Coll. and Mag. of Gamjam.—M. Feb. 1.  
 Bushby, H. T., Mr., to be Assist. Judge and joint Crim. Judge in Zillah of Salem.—M. Feb. 7.  
 Boileau, T. E., Mr., to be Assist. Judge and joint Crim. Judge in Zillah of Canara.—M. Feb. 7.  
 Benwell, J., Lieut. 46th N. I. to be Adj. v. Penson, prom.—M. Feb. 6.  
 Bydd, R. H. J., Ens., posted to 3d P. L. J.—M. Feb. 12.  
 Caldwell, H., Capt., to be Superintendent of the affairs of the Mysore Princes.—C. Feb. 22.  
 Currie, J. A., Capt. 14th N. I. permitted to resign.—C. Feb. 23.  
 Cleiland, W. D., Lieut.-Col., 19th N. I. to command the Surat Div. of the army in the absence of Lieut.-Col. Heseman.—B. March 3.  
 Campbell, Capt., Commis.-Dep., appointed to Poonah Div.—B. March 5.  
 Canley, Lieut. and Adj. 35th N. I. at his own request resigned Adjutancy.—C. Feb. 14.  
 Crichton, T., Surg., on furlough to Europe for health.—C. Feb. 14.  
 Campbell, Brev. Capt. 45th Foot, on furlough to Europe for health.—C. Feb. 5.  
 Champier, R., Mr., to be Secretary to Gov., in public departments.—M. Feb. 22.  
 Crawford, S., Mr., Regist. and Crim. Judge in Zillah of Chingleput.—M. Feb. 22.  
 Carr, G., Ens., to do duty with 16th N. I.—M. Feb. 8.  
 Clarke, G. B., Ens., posted to 49th N. I.—M. Feb. 12.  
 Currie, J., Ens., posted to 25th N. I.—M. Feb. 12.  
 Dunlop, W. L., Cadet, admitted Assist. Surg.—C. Feb. 9.  
 Down, E., Cornet, posted to 8th Light Cav.—M. Feb. 12.  
 Durant, A. E. B., Ensign, posted to 9th N. I.—M. Feb. 12.  
 Douglas, J., Ensign, posted to 1st N. I.—M. Feb. 12.  
 Deacon, N. W., Ensign, posted to 14th N. I.—Feb. 12.  
 Dunlop, W. W., Ensign, posted to 50th N. I.—M. Feb. 12.  
 Durham, Super. Surg. Medical Department, on furlough to Eur.—C. Feb. 21.  
 Dawes, G. D., Ensign 54th N. I., to be Lieut. v. Urquhart, prom.—C. Feb. 23.  
 Delamote, Lieut.-Col. 3d Light Cav., to command Northern District of Guzerat.—B. March 3.  
 Dunsterville, Capt. Commis. Department, app. to Surat Division.—B. March 5.  
 Evans, J., Lieut. 18th N. I., to be Adj. v. Troup, promoted.—C. Feb. 8.  
 Edwards, G. R., Cornet, posted to 2d Light Cav.—M. Feb. 12.  
 Edwards, W., Cadet, to be Ensign.—B. March 1.

Farmer, J., Cornet, 9th Light Cav., on furlough to Eur. for health.—C. Feb. 2.  
Foot, C. C., Ensign, to do duty with 31st N. I.—M. Feb. 8.  
Freese, G., Ensign, to do duty with 5th N. I.—M. Feb. 8.  
French, G. E., Ensign, posted to 27th N. I.—M. Feb. 12.  
Foster, J. T., Lieut. 15th N. I., to be Quarter-Master and Inter. to Marine Bat.—B. Feb. 15.

Gifford, T., Cadet, prom. to Ensign.—C. Feb. 9.  
Griffith, C., Lieut., 37th N. I., to be Interp. and Quart.-Mast. v. Harrington goes to Europe.—Feb. 8.

Græme, G., the Rev., to be Mil. Chap. at St. Thomas's Mount.—M. March 1.  
Garrow, G., Mr., to be Judge and Crim. Judge of Zillah of Cumbassanum.—M. Feb. 22.

Groubble, G. B. B., Cornet, posted to 5th Lt. Cav.—M. Feb. 12.

Gordon, C., Ens., posted to 13th N. I.—M. Feb. 12.

Grant, F., Ens., posted to 41st N. I.—M. Feb. 12.

Gemm, J., Ens., posted to 47th N. I.—M. Feb. 12.

Gorton, J., Capt., Hon. Effect. Estab., posted to 2d Vet. Bat. at Nellore.—M. Feb. 26.

Govan, G., Surg., M. D., Zoologist and Botanist to the Surv. on the Himalaya Mountains.—C. Feb. 16.

Garstin, E., Capt., of the Engineers, on furlough to Eur. for health.—C. Feb. 22.

Glass, Assist.-Surg., posted to 17th N. I.—C. Feb. 21.

Gibbon, Major, Commis. Dep., app. to Baroda Force.—B. March 5.

Gardner, W. P., Lieut., 2d Madras Eur. Regt., on furlough to Eur. for health.—B. March 7.

Holbrow, J., Capt., 4th N. I., to be Major.—C. Feb. 2.

Heath, W., Assist.-Surg., to do duty with Depôt at Chinsurah.—C. Feb.

Hallewell, J., Rev., to second Chaplain to Garrison of St. George.—M. Mar. 1.

Home, Sir J., Bart., to be Deputy-Account Gen. in Milit. Dep.—M. Feb. 22.

Hodge, P. P., Lieut., 1st N. I., permitted to place his services at disposal of Gov. at Fort Cornwallis.—M. Feb. 6.

Hall, E. J., Cornet, to do duty with 3d L. Cav.—M. Feb. 8.

Henderson, F., Ens., posted to 10th N. I.—M. Feb. 12.

Hodson, D., Ens., posted to 44th N. I.—M. Feb. 12.

Hallett, J., Lieut., 3d N. I., to be Acting Quarter-Master and Interpret. v. King.—B. Feb. 13.

Hall, F., Mr., to be Assistant to the Principal Coll. and Magistrate of Madura.—M. March.

Holland, Capt., Com.-Dep. app. to Surat Division.—B. March 5.

Iveson, J., Lieut., 7th N. I., on furl. to Europe for health.—C. Feb. 6.

Johnson, J., Lieut. and Brev. Capt. Artill., on furlough to Europe.—C. Feb. 2.

Justin, W., Lieut., 5th N. I., posted to Rifle Corps.—M. Feb. 2.

Jelf, C., Cadet, prom. to Ensign.—C. Feb. 23.

Kenny, J. W. G., Ens., posted to 36th N. I.—M. Feb. 12.

Kerr, A. B., Ens., 36th N. I.—M. Feb. 12.

Kynnesman, H., Mr., Cadet, prom. to Ens.—C. Feb. 23.]

Kinneraley, J., Lieut.-Col. 17th N. I., to command in Cutch.—B. March 3.

Lacon, H., Mr., to be Judge and Criminal Judge of Zillah of Chiracola.—M. Feb. 1.

Lindesay, A. R., Assist.-Surg., rem. from 4th Extra to 32d N. I.—C. Feb. 21.

Liddell, J., Lieut., Bombay Establishment, on furlough to Europe for health.—B. March 1.

Leffle, P., Surgeon, permitted to resign.—B. March 1.

Legget, W., Sub-Assist.-Surg., to be an Acting-Assist.-Surg. exclus. for Marine duty.—B. March 3.

Law, M., Capt., Second Deputy-Commissary of Stores, is appointed to act as Senior Deputy.—B. March 5.

Morton, J., Mr., Cadet, prom. to Ens.—C. Feb. 23.

- Maling, J., Major, to be Paymaster at the Presidency, and to the King's troops, v. Caldwell.—C. Feb. 23.
- M'Kenzie, W. G., Major, 5th N. I., to be Agent for Army Clothing, Second Division, v. Malling.—C. Feb. 23.
- Marshall, J., Surg., rem. from 7th to 32d N. I.—G. Feb. 21.
- Major, J. P., Cadet, to be Ens.—B. March 1.
- Molesworth, Capt., Commis. Divis., app. to Malwa Force.—B. March 5.
- Minchin, F. C., Cadet, prom. to Ens.—C. Feb. 9.
- Maidland, A., Mr., to be Assist. to Princip. Coll. and Mag. of North. Division of Arcot.—M. Feb. 1.
- Macleod, J. M., Mr., to be Secretary to Government in Revenue and Judicial Departments.—M. Feb. 22.
- Mayhew, A., Ens., posted to 25th N. I.—M. Feb. 12.
- Manley, J. H., Ens., posted to 28th N. I.—M. Feb. 12.
- Mackenzie, J. S., Ens., posted to 52d N. I.—M. Feb. 12.; and removed to 48th N. I.—Feb. 19.
- Macleod, N. L. H., Ens., posted to 48th N. I.—M. Feb. 12.
- Moore, J., Col., (late promoted), posted to 28th N. I.—M. Feb. 20.
- Nelson, R., Mr., to be Sub-Coll. and Assist.-Mag. of Tanjore.—M. Feb. 13.
- Noble, J. W., Ens., posted to 26th N. I.—M. Feb. 12.
- Natt, H., Ens., posted to 46th N. I.—M. Feb. 12.
- O'Donnoghue, M., Cadet, admitted Assist.-Surg.—C. Feb. 2.
- Ogilvie, W. C., Mr., to be Assist. to Principal Coll. and Mag. of South. Division of Arcot.—M. March 1.
- Owen, J. O., Ens., 5th N. I., to be Lieut. v. Warwick.—C. Feb. 9.
- Ore, A., Lieut., 25th N. I., on furlough to Europe for health.—B. March 1.
- Pine, G. H., Major-Gen., to be Vice-President of Military Board.—C. Feb. 9.
- Pepper, H. S., Col., 6th N. I., on furlough to Europe.
- Rose, W. K. M'L., Mr., admitted an Assist.-Surg. on Estab.—C. Feb. 8.
- Reilly, B. Y., Lieut., Sappers and Miners, to be Adj. v. Thomson.—C. Feb. 8.
- Rogers, R., Mr., to be Assist.-Judge and Joint Crim.-Judge in Zillah of Salem.—M. Feb. 22.
- Ramsden, R., Ens., posted to 13th N. I.—M. Feb. 12.
- Ridlag, R. T., Assist.-Surg., at his own request, resigned.—B. Feb. 14.
- Rooke, P., Assist.-Surg., admitted on Estab.—B. March 1.
- Reynolds, Capt., Commis.-Deputy, app. to Catch Force.—B. March 10.
- Snodgrass, Major, Commis.-Dep., app. to Poonah Division.—B. March 5.
- Spencer, W., Cadet, admitted Assistant Surgeon.—C. Feb. 9.
- Stokes, Mr. J., to be third Member of Board of Revenue.—M. Feb. 22.
- Shaw, P., Ensign, posted to 34th C. L. I.—M. Feb. 12.
- Sneyd, R. H., Capt. 9th Regt., on furlough to Europe for health.—C. Feb. 21.
- Sellwood, R., Lieut., permitted to resign.—B. March 1.
- Sandwith, Lieut.-Col. 16th N. I., to command the Baroda Subsid. Force, v. Kennedy, C. B., returned to England.—B. March 3.
- Smith, H., Lieut.-Col. 1st Light Cav., to command at Sattarah in the absence of Lieut.-Col. Cleiland.—B. March 3.
- Taylor, Mr. R. J., to be Collector of Rajasahya.—C. Feb. 15.
- Tucker, A., Cadet, promoted to Cornet.—C. Feb. 9.
- Thorald, C., Cadet, promoted to Ensign.—C. Feb. 9.
- Torckler, W. Y., Lieut. 4th N. I., to be Inter. and Quarter-Master, v. Doveton.—C. Feb. 8.
- Taylor, Mr. W. R., to be Assistant Judge and joint Criminal Judge in Zillah of Maduree.—M. Feb. 22.
- Thomson, H. A., Ensign, to do duty with 10th N. I.—M. Feb. 8.
- Taylor, J. H., Ensign, posted to 32d European Regt.—M. Feb. 12.
- Turner, H. B., Cadet Engin., to be 2d Lieut. and Assist. to the Enso. Engin., at Poonah.—B. March 1.

Warrand, A., Assist. Surgeon, rem. from 21st to 35th N. I.—M. Feb. 22.  
 Williton, W., Assist. Surgeon, appointed to 21st N. I.—M. Feb. 22.  
 Watson, J. A. D., Surgeon, posted to 17th N. I.—C. Feb. 21.  
 Walker, J., Capt., permitted to resign.—B. March 1.  
 Wade, Capt., Commis. Dep., appointed to Presidency.—B. March 5.  
 Warwick, F., Lieut. 5th N. I., transferred to pension list.—C. Feb. 2.  
 Wilton, G. R., Lieut. 4th N. I., to be Capt.—C. Feb. 2.  
 Wroughton, Mr. J. C., Head Assist. to Principal Collector, and Mag. of Madura.—M. Feb. 22.  
 Wheatley, Mr. T. R., app. to Sub.-Col. and Joint Mag. in Malabar.—M. Feb. 22.  
 Wish, Mr. C. M., to be Assist. Judge and Joint Criminal Judge in Zillah of Salem.—M. Feb. 22.  
 Wrey, Mr. B. B., to be Assist. Judge and joint Criminal Judge in Zillah of Combsconum.—M. Feb. 22.  
 Wilson, C. H., Ens., posted to 2d European Regt.—M. Feb. 12.  
 White, K., Ensign, posted to 35th N. I.—M. Feb. 12.  
 Vicary, N., Ensign 4th N. I., to be Lieut.—C. Feb. 2.  
 Urquhartson, C. F., to be Lieut. 54th N. I. v. Kerr, deceased.—C. Feb. 23.  
 Young, W., Cadet, prom. to Ensign.—C. Feb. 9.  
 Young, Capt., 89th Foot, on furlough to Europe for health.—C. Feb. 1.

#### BIRTHS.

Brander, the lady of D., at Pooree, of a son, Feb. 20.  
 Benson, the lady of Lieut. W., 4th Bengal Lt. Cav., of a daughter, C. Feb. 23.  
 Cravan, the lady of the Rev. Professor, of a son, at Bishops College, C. Feb. 25.  
 Doveton, the lady of B., Esq., Civ. Service, of a daughter, B. March 2.  
 Graham, the lady of Jas., M. D., of a daughter, at Mahidpore, Feb. 9.  
 Keating, the lady of Capt., 41st N. I., of a daughter, at Kamptee, Feb. 16.  
 Kerr, the lady of Lieut. J., 2d Eur. Reg., of a son, M. Feb. 19.  
 Montague, the lady of H. Seymour, Esq., late of the Bengal Serv., of a daughter, in Weymouth-street, Portland-place, London, Aug. 12.  
 Roberts, the lady of Capt., Superin. Public Works, of a son, at Meerut, Feb. 8.  
 Simson, the lady of J. B., Esq., of a son, B. March 5.  
 Turnbull, the lady of G., Esq., Civ.-Surg., of a son, at Humerpore, Nov. 6.  
 Watkins, the lady of Capt., 62d N. I., of a daughter, at Benares, Feb. 8.  
 Valpy, the lady of W. H., Esq., Civ. Service, of a daughter, at Humerpore, Feb. 12.

#### MARRIAGES.

Courage, A., Esq., to Miss F. Osborne, at Calcutta, Feb. 19.  
 Elliot, G., 5th M. Lt. Cav., to Charlotte, daughter of the late Rev. H. Jeffreys, at Madras, Feb. 27.  
 Kelman, W. D., Esq., of Macquarries River, Van Diemen's Land, to Catherine, eldest daughter of J. Bushby, Esq., at Sydney, Feb. 16.  
 Mackenzie, J. P., Esq., of Darhcairn, to Elizabeth, eldest daughter of T. F. Hawkins, Esq., of Blackdown, at Bathurst, Feb. 7.  
 Morris, H., Esq., to Rebecca, eldest daughter of Lieut.-Col. Jackson, at Madras, March 5.  
 Montgomerie, H. C., Esq., Civ. Serv., to Leonora, eldest daughter of Maj.-Gen. R. Pigot, at Madras, March 3.  
 Stirling, L. H., Esq., to Miss Catherine Shaw, at Madras, March 2.  
 Todd, J. R., Esq., of John-street, Adelphi, to Eliza Henrietta, daughter of Duncan Campbell, Esq., at Christ Church, Marylebone, London, Aug. 16.



## DEATHS.

Brown, R., Capt., H. M. 41st reg. at Bellary, Feb. 17.

Cole, T. J. B., Capt., St. Helena Artillery, at St. Helena, June.

Campbell, W., Esq., at Harrington Park, Feb. 27.

Cocker, F. H., Lieut., 8th M. N. I. at sea, off the coast of Concan, Feb. 27.

Dallas, J. H., Lieut. Quart.-Mas. and Interpret., in camp, at Kamptee, Feb. 23.

M'Niel, N., Capt., 50th N. I., at Mangalore, Feb. 20.

Sandford, J., Mr., senior Judge of the Prov. Court of Appeal and Circuit, for the Division of Calcutta, Feb. 24.

Smithwaite, T., Lieut.-Col., N. I., at Viscanagrum, Feb. 26.

Tandy, J. O'B., Esq., at Serampore, Feb. 20.

## SHIPPING INTELLIGENCE.

## ARRIVALS FROM EASTERN PORTS.

Date. 1827.	Port of Arrival.	Ship's Name.	Commander.	Place of Depart.	Date. 1827.
July 30	Isle of Wight	Asia ..	Balderston	Bengal ..	Mar. 28
July 30	Dover ..	Magnet ..	Hayward ..	Cape ..	May 5
July 31	The Start ..	Java ..	Hosmer ..	Mauritius ..	Apr. 23
July 31	Cowes ..	Peru ..	Graham ..	Cape ..	May 19
Aug. 1	Portsmouth	Victory ..	Farquharson	Bengal ..	Feb. 18
Aug. 2	Liverpool ..	Columbia ..	Kirkwood	Bengal ..	Feb. 23
Aug. 2	Downs ..	Patience ..	Mathews ..	Cape ..	May 17
Aug. 2	Kingsbridge	Zeeuw ..	Ricketts ..	Mauritius ..	Apr. 19
Aug. 3	Cowes ..	Symmetry ..	Smith ..	Bengal ..	Feb. 9
Aug. 9	Plymouth ..	City of Edinburgh	Milne ..	Bengal ..	Nov. 25
Aug. 8	Portsmouth	Madras ..	Beach ..	Bengal ..	Feb. 13
Aug. 8	Holyhead ..	Walsingham ..	Bourke ..	Cape ..	June 1
Aug. 10	Portsmouth	Adrian ..	Brown ..	Batavia ..	April 6
Aug. 10	Weymouth	Hugh Crawford	Langdon ..	V. D. Land	Mar. 23
Aug. 12	Greenock ..	Catherine ..	Porter ..	Bombay ..	Mar. 15
Aug. 14	Downs ..	Hercules ..	Vaughan ..	Singapore	Mar. 21
Aug. 15	Cowes ..	Houqua ..	Dumaresque	China ..	Mar. 16
Aug. 25	Plymouth ..	Elizabeth ..	Kain ..	Cape ..	June 16

## ARRIVALS IN EASTERN PORTS.

Date. 1827.	Port of Arrival.	Ship's Name.	Commander.	Port of Depart.
Mar. 14	Batavia ..	Romeo ..	Ross ..	London ..
Mar. 15	Batavia ..	Maria ..	Wilson ..	London ..
May 25	Cape ..	Olive Branch ..	Anderson ..	London ..
May 28	Cape ..	Sir Edw. Paget ..	Geary ..	London ..
May 28	Cape ..	Wilna ..	Tayt ..	London ..
June 24	Madeira ..	Lady Amherst ..	Lisle ..	London ..
July 21	Madeira ..	Columbine ..	Fait ..	London ..

## DEPARTURES FROM EUROPE.

Date.	Port of Depart.	Ship's Name.	Commander.	Destination.
1827.				
July 22	Greenock	.. Velusa	.. Mitchell	.. V. D. Land
Aug. 1	Deal	.. Margaret	.. M'Cormack	.. Cape
Aug. 5	Deal	.. Palmyra	.. Lamb	.. Bengal
Aug. 5	Deal	.. Hope	.. Hill	.. Cape & Mad.
Aug. 5	Deal	.. Roberts	.. Corbyn	.. Bengal
Aug. 5	Deal	.. Sesostria	.. Barrchier	.. Cape & Bom.
Aug. 5	Deal	.. York	.. Wilkinson	.. Bengal
Aug. 11	Deal	.. Dawson	.. Dawson	.. Mauritius
Aug. 16	Chatham	.. L'Espoir	.. Greville	.. Mauritius
Aug. 17	Portsmouth	.. George Home	.. Steele	.. V. D. Land
Aug. 17	Deal	.. Anna Robertson	.. Irvine	.. Bengal
Aug. 18	Deal	.. Norval	.. Combre	.. Mauritius
Aug. 18	Liverpool	.. Bellona	.. Hutchison	.. Bat. & Penang
Aug. 21	Deal	.. Susanna	.. Clappeson	.. Mauritius
Aug. 21	Deal	.. Ellen	.. Camper	.. Mauritius
Aug. 21	Deal	.. Samuel Brown	.. Reid	.. Mauritius
Aug. 22	Deal	.. Royal Charlotte	.. Dudman	.. Mad. & Penang
Aug. 22	Deal	.. Zenobia	.. Douglas	.. Bengal
Aug. 23	Deal	.. Orient	.. White	.. Bengal

## GENERAL LIST OF PASSENGERS.

## PASSENGERS HOMEWARDS.

By the *Ganges*, Capt. Lloyd, from Bengal:—Capts. Hilton, 18th Lancers, Elliott, 87th reg. and Sullivan, 30th reg. (died at sea); Lieuts. M'Gregor, Co.'s Artil., and Storey, 87th reg.; Mrs. Gen. M'Gregor and Mrs. Stewell; J. A. Pringle, Esq., Civ. Serv. and Mr. Dent; Masters Hilton and Rich; Misses Pringle and (two) Stewells.

By the *Dunvegan Castle*, from Bengal:—Col. Robertson, 97th reg., lady, and three children; Major Gully, 87th reg., and lady; Mr. and Mrs. Mainwarring.

By the *Asia*, Capt. Balderston, from Bengal:—Capts. E. Garstin, Engineers, and S. Sherlock, 87th reg.; Ensign C. Urquhart, 87th reg.; L. Magniac, J. Hunter, and A. Lamb, Esqrs.; Messrs. W. Turner and L. Cohen (and his infant son); Masters Magniac, Balderus, K. and R. Wallers, and Hunter; Mesdames Magniac, Bignell, Waller, and Liston; Misses Durham (two), Magniac, Balderus, and Waller; two European and five Native servants; invalids, &c.

By the *Victory*, Capt. Farquharson, from Bengal and Cape:—Major George, 89th reg.; Capts. Anstruther, B. Cav., Armstrong, 16th Lancers, Ross, Mad. Eng., Mostyn, Beng. Inf.; Hon. A. H. Cole, Civ. Serv., and R. H. Clive, Esq., do.; Rev. M. Koufman; Messrs. Sparrow and Bagshaw, Bom. Cav.; Masters W. J. and R. Hicks, Prinsep, Armstrong, and Robertson; Mesdames Farquharson, Sparrow, Bagshaw, Koufman; 34 invalids.

By the *Norfolk*, Capt. Greig, from Bombay:—Lieuts. E. B. Prother, Artil., E. Neville, 2d N. I., J. King and C. G. Rand 8th N. I. (the latter died at sea); T. Barnard, Esq.; Assist.-Surg. J. Atkinson; Messrs. Fell and Malone; Master and Miss Bernard (died at sea); Mesdames Barnard, Prother, Pottinger, Jenkins, and Malone; 5 servants, 94 invalids, and 6 women.

By the *Columbia*, from Bengal:—Capts. Henderson, 11th Drags., and M'Dermott, 14th Foot; J. W. Templer, Esq., Civ. Serv., W. L. Andrew, Esq., Mr. Crawford; Masters Henderson, Wallace, and Cearn; Mesdames Templer and Henderson; Misses Henderson, (two) Spiers, and Rutherford; seven servants.

By the *Hibbert*, Theaker, from Bombay:—Col. Dyson; Maj. Mealey; Capts. Hunter and Wainwright; Lieuts. Campbell and Richardson; Mr. Cornells;

Masters Kanny, Mealey, and Capon; Mesdames Richmond, Theaker, Burke, and Addie, and Miss Richardson.

By the *Madras*, Beach, from Bengal:—Col. Hathwaite; Capt. Cramer, Faithful, Watson, and Cooper; Lieuts. Tallen and O'Brien; J. Carter, J. Thompson, and A. Wardrope, Esqrs.; Masters White, Ross, and Hamilton; Mrs. Col. Lamb and child; Mrs. Faithful and child; Mrs. Watson; Mrs. Baker and child; Mrs. Ballard and child; Mrs. Carden, and Mrs. Mark; Misses Fletcher, White, Noble, Ross, and Hamilton; six European and six Native servants; 50 invalids, three women, and three children.

By the *William*, from Batavia:—Alex. Morgan, Esq., and lady; Mr. Ingh, and Miss Tittle.

By the *Hugh Crawford*, from Van Diemen's Land:—Captain Bunster; Dr. M'Feron; P. Roberts, Esq.; Messrs. Lewis (R. N.), Smith, Cameron, and wife; Russell, and wife; Darley, and wife; Roberts, wife, and three children; Lookhead, Garrett, Stark, and Kerr.

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*Several Communications of Correspondents are postponed till the succeeding Number.*

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*The Index and Title to this, the Fourteenth Volume, will be issued with the Number for October.*

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